

Terms of Reference

Consultancy Services for “Preparation of Environmental and Social Management Framework (ESMF)” for HPRIDC

1. Background

The Himachal Pradesh Road and other Infrastructure Development Corporation (HPRIDC), a wholly owned Company of Government of Himachal Pradesh (GoHP), has been incorporated under the Companies Act 1956 with the following main objectives:

- a) Development of road infrastructure or any other structural or architectural work on PPP mode or on any other scheme in any manner.
- b) To facilitate and/or undertake other infrastructure projects.
- c) To act as a Special Purpose Vehicle (SPV) for resource mobilization on behalf of State Government for all infrastructure projects.

HPRIDC, in the long run, is poised to become a network manager of 4,500 Kms of Major District Roads and 1,250 Km of National Highways and or any other infrastructure that would be entrusted to it by the GoHP. The HPRIDC has a mandate to transform itself from a project implementing agency to a Functional Road Agency HPRIDC is:

- i. To facilitate and or undertake to construct, erect, build, renovate, develop, improve, manage, control maintain other infrastructure projects including those related to Power, Telecom Information and Technology, Transmission of Electricity, Water Supply Projects, Irrigation Projects, Sanitation and Sewerage System, Housing, Building, education, Hospitals, Tourism, Transport, Aviation, Ropeways, Rail System, Mining etc. or any other notified public facilities of similar nature on Build Operate and Transfer (BOT), Build Own Operate Transfer (BOOT), Build Operate Lease and Transfer (BOLT) basis / or any other scheme in a manner which will facilitate to undertake the above mentioned works in the State of Himachal Pradesh and other places.
- ii. To act as a special purpose vehicle for resource mobilization on behalf of the State Government for all infrastructures projects and also discharge obligations on this account on behalf of the State Government from revenue other receipts accruing to the State Government from such projects.
- iii. It is gearing itself to adopt (a) modern business processes in planning, budgeting, management functions and establishing a stable funding mechanism for core road network (b) ICT planning, management and support functions and (c) enhanced human resource development and increased organizational efficiency (d) ensure all its operations are environmentally and socially sustainable in line with E & S Safeguards Policy and Framework of National and International or Multilateral Financial Institutions (MFIs). Such major institutional reforms have been envisaged under the World Bank funded HP State Road Transformation Project (HPSRTP) worth USD 112 million which USD 82 million is the IBRD loan assistance. A part of the said loan proceeds will be utilized on providing ESMF for the restructured HPRIDC. HPRIDC will soon become a public

limited company and concurrently has initiated steps for its institutional reorganization and preparing itself to take up several other infrastructure projects in the State.

2. Objective(s) of the Assignment

HPRIDC's financial resources stem from its own sources through GoHP and possible lines of credit from various multilateral financing institutions (MFIs) like World Bank, ADB, AIIB, JICA etc. and issuance of infrastructure bonds. The MFIs have their own established environmental and Page 2 of 6 social (E&S) policy framework(s), which are to be adhered, to access the funds through respective lines of credit by HPRIDC. Thus, HPRIDC intends have a Borrower's Environmental and Social Management Framework (ESF), which can conform to a spectrum of MFIs E&S policies and guidelines.

3. Scope of Services, Tasks (Components) and Expected Deliverables

The ESMF is intended to be primarily based on World Bank's E&S Framework, 2016, although it shall also align with ADB's Safeguard Policy Statement (2009) and other prominent MFIs like KfW and AIIB among others. It shall broadly conform to the various MFIs requirements, regardless of the funding source. The ESMF should ensure national /state provisions in terms of E&S issues and considerations, their assessment, mitigation, implementation reporting and monitoring requirements. In preparation of this ESMF, the consultant shall undertake the following tasks:

1. identify key E&S issues/impacts likely in the various types/categories of projects in accordance with HPRIDC's mandate as mentioned in **Annexure-A**;
2. review E&S policies of major donor organizations such as World Bank's ESF, ADB's Safeguard Policy Statement (2009), JICA, KfW and AIIB, to identify E&S considerations that need to be assessed and documentation requirements therein;
3. review existing national and state laws & existing acts, policies and guidelines that cover the identified issues/impacts by type of infrastructure and the provisions, current levels of compliance with these requirements including constraints faced therein;
4. review the existing set of E&S documents prepared for HPSRTP and other major ongoing infrastructure projects of HPRIDC;
5. review practices to address E&S issues in other donor funded projects within and outside the state e.g. roads/transport, water supply and sanitation, urban, agriculture/horticulture to identify good practices worthy of adoption;
6. assess existing capacity at HPRIDC as well as systems and procedures adopted by HPRIDC in coordination with other partner departments/agencies e.g. revenue, forest, labour welfare, NGOs etc. to manage E&S issues;
7. prepare a comparison of country/state's legal framework versus E&S considerations and requirements of the above-mentioned donors as well as a comparison of practices and systems adopted by HPRIDC versus other similar road/transport agencies within the country;
8. undertake consultations with a wide range of institutional stakeholders relevant to HPRIDC's operations as well as communities in project areas of HPRIDC;

9. based on the activities, prepare a draft ESMF that states HPRIDC's E&S policy and procedures to manage E&S aspects;
10. submit the draft ESMF to HPRIDC and World Bank for their review and comments;
11. undertake consultations with diverse set of stakeholders to solicit opinion, comments and feedback on the draft ESMF; and
12. finalize the draft ESMF based on the comments/feedback received for HPRIDC's review approval.

A suggested outline for ESMF structure is given in **Annexure-A**. The Consultant firm shall be free to evolve/develop the content and structure for ESMF content in conformity with HPRIDC's mandate as a Functional Road Agency and ensure that all its operations are environmentally and socially sustainable in line with E&S Policy and Framework of National and International or Multilateral Financial Institutions (MFIs).

4. Team Composition & Qualification Requirements for the Key Experts

The duration of the consultancy assignment shall be Nine months from the commencement date.

Accordingly, the total man-month requirements for the assignment would be as follows:

Subject Expert	No. of Experts	Total Man-months
A) Key Experts		
Environmental Expert	1	9
Social Expert	1	9
Tribal Expert	1	5
Labour Expert	1	5
Gender Expert	1	4
Community consultation expert	1	4
B) Non-Key Experts		
Environmental Engineer	1	6
Social Expert	1	6
Other Support Staff	As required	

The Consultant with their industry experience and in close consultation with the HPPWD/HPRIDC would be required to deploy/demobilize its personnel in accordance with the progress of preparation work by Consultant to ensure that total man-months are not exceeded.

The team of experts for preparation of ESMF should meet the following qualifications and expertise requirement:

- I. **Environmental Expert:** Post Graduate with a minimum experience of 15 years in externally (MFIs) funded infrastructure projects and well versed with the environmental social safeguard policies and requirements of the World Bank and other MFIs.
- II. **Social Expert:** Post Graduate with a minimum experience of 15 years in externally (MFIs) funded infrastructure projects and well versed with the environmental social safeguard policies and requirements of the World Bank and other MFIs
- III. **Tribal Expert:** Graduate with a minimum experience of 10-12 years in externally (MFIs) funded infrastructure projects and well versed with the environmental social safeguard policies and requirements of the World Bank and other MFIs.
- IV. **Labour Expert:** Graduate with a minimum experience of 12-15 years and well versed with the national labour laws and requirements.
- V. **Gender Expert:** Graduate with a minimum experience of 8-10 years, well versed with the gender commitments, strategies of MFIs.
- VI. **Community Consultation Expert:** Graduate with a minimum experience of 8-10 years and preferably having experience in externally (MFIs) funded projects.

The team of environmental and social experts shall have support of Non-Key Experts (one environmental and one social position) with at least 5-7 years of experience in relevant discipline along with support services for documentation assistance. This is clarified that Support Staff and Non-Key Experts CVs shall not be evaluated. Only Key Experts CVs shall be evaluated.

5. Reporting Requirements and Time Schedule for Deliverables

The deliverables of consultancy assignment shall be in English and the executive summary of final version of ESMF shall be translated into HINDI shall be submitted for disclosure at HPRIDC's website.

S N	Deliverables	No. of copies /Job	Due date for submission from the start date of the service (Months)	Remarks
1	Inception Report: It should provide a list of projects, donors, states that are relevant for study and for development of ESMF for HPRIDC.	5	1	
2	Mid-term Progress Report	5	3	
3	Draft ESMF	5	6	
4	Stakeholder consultation workshop	1 Job	8	
5	Final ESMF after incorporating review comments/feedback received from HPRIDC, World Bank and any other MFIs or Institutions as desired by HPRIDC	5	9	

Review of reports:

A review committee (to be restricted to Five members) consisting of following officers of the client's Department will review all reports of Consultant (inception, progress, intermediate and draft final) and suggest any modifications/changes considered necessary within 15 days of receipt.

- i. Director (Projects)-cum-Chief Engineer (HPRIDC)- Chairman
- ii. Superintending Engineer (HPRIDC)- Member Secretary
- iii. Joint Controller (FMU-HPRIDC)- Member
- iv. Environmental Specialist (HPRIDC)- Member
- v. Social development officer(HPRIDC)- Member

Refer to Annexure-A for Indicative content for Preparation of Borrower's ESMF for HPRIDC.

Indicative content for Preparation of Borrower's ESMF for HPRIDC

1. Introduction
 - Background
 - Overview of ESMF Structure
 - HPRIDC's ESMF Policy
 - Environmental and Social Safeguards Regulatory Framework(State/National & MFIs)
 - General requirements/covenants of MFIs
2. Policies
 - Overview
 - Purpose of Policies
 - Commitment and Resources
3. Management & Organization
 - Overview of HPRIDC's E&SM Organizational Structure
 - Roles & Responsibilities for ESMF Implementation
4. ESMF Implementation Mechanism
 - Project Appraisal
 - Definition of Environmental & Social management categorization
 - Information checklist required for Environmental and Social Safeguards Screening
 - Harmonized HPRIDC's exclusion list
 - Environmental and Social Screening
 - E&S Categorization of Project
 - Mechanism for ESIA and ESMP Preparation
 - Resettlement Policy Framework and Mechanism for RAP preparation
 - Determination of Applicability of Regulatory Clearances
 - Mechanism for RAP Implementation and Monitoring
 - Mechanism for ESMP Implementation Monitoring
 - Specific Requirement/Commitment(s) to Borrowers
5. HPRIDC's Environmental & Social Safeguards Monitoring and Reporting Mechanism
6. Stakeholder Engagement Mechanism
7. Labour Management Procedure
8. Grievance Redressal Mechanism

9. GBV Risk Mitigation Strategy/Mechanism
10. Mechanism for Feedback, Review and Updating of ESF
11. Competency, Capacity Building and Training
12. Compilation of Applicable E&S Rules and Regulations