

Terms of Reference for Hiring of Firm To Develop Guidelines, Management Plans, Policy Frameworks & Assessments Studies

A. Background:

1. The Government of Khyber Pakhtunkhwa with the assistance of the World Bank (WB) has initiated programs titled **Khyber Pakhtunkhwa Revenue Mobilization And Public Resource Management (KPRMPRM)** and **Khyber Pakhtunkhwa Spending Effectively for Enhanced Development (KP SPEED)**. In accordance with the Bank's policy the "Program for Results (PforR)" is the financing instrument and as lending tool for investment of both the flagship initiatives. The proposed PforR operation will support the implementation of the KP Government's PFM Reform Strategy.

2. The KPRM program aims to increase KP's own source revenue and to improve the management of public resources for better service delivery. The Program will fund expenditures of the main government entities responsible for implementing the PFM Reform Strategy.

3. Moreover, KP SPEED strives to improve the availability and management of public resources for delivery of primary, middle, and high school education and primary health care services. The project support measures to improve the quality of funding in the health and education sectors by ensuring that funds are released on time and reach the intended beneficiaries to achieve last mile actions that will transform service delivery and improve social outcomes.

4. Given this context, the project intends to hire the services of a Consulting firm (hereafter referred to as "the Firm") to address environmental and social impacts and risks by developing guidelines, policy framework, management plans and assessments/studies mentioned in the Program Action Plan (PAP) of Program Appraisal Document (PAD), Environmental & Social Systems Assessment (ESSA) and Environmental & Social Commitment Plan (ESCP). These guidelines and management plans will additionally elucidate the mitigation measures that will offset the effects of environmental and social risks and impacts.

B. Objective

The objective of the assignment is to assist the Government for achieving the desired results mentioned under the Program Action Plan (PAP) of Program Appraisal Document (PAD) and Environmental & Social Systems Assessment (ESSA).

C. Scope of Consulting Services

5. The Firm will be responsible to provide the following deliverables:
- a) Prepare Environmental Guidelines, Management Plan and Policy Framework for E-Waste Management.
 - b) Prepare climate resilient and environment friendly Policy Framework (PF).
 - c) Prepare Occupational Health & Safety Plan (OHS), Community Health and Safety Plan and Gender Based Violence (GBV) Action Plan
 - d) Prepare community health and safety, labor safety, child labor and Sexual Exploitation and Abuse and Harassment (SEAH) prevention clauses to be included on all construction contracts
 - e) Review LAA 1894 and prepare SOPs to respond to system and capacity gaps
 - f) Review the performance of the existing KP forums on Social Protection, RTI, RTS, Status of Women and others to improve the inclusion of vulnerable groups for promoting equity and inclusion.'
 - g) Conduct studies on Gender Assessment, Social Assessment and Social Conflict Analysis

- h) Prepare Training Modules and conduct trainings to build the capacity of the stakeholders on e-waste guidelines, policy framework and community health and safety, labor safety, child labor and Sexual Exploitation and Abuse and Harassment (SEAH)

6. **The description of each deliverable follows:**

i. **Prepare Environmental Guidelines, Management Plan and Policy Framework for E-Waste Management *under TA Component*.**

- The Guidelines should include among other aspects procedures for: inventory-based record keeping of ICT equipment by the departments at the time of procurement of new equipment and sale of used equipment, material safety data sheets of new and old equipment,
- Terms and conditions for the repurchase of new equipment at the end of life of the equipment,
- Provisions of buy back by vendors in the procurement contract, EPA licensed buyers of used equipment, proposed conditions for the environmentally sound recycling and disposal arrangements, etc.
- Prepare Guidelines and procedures to manage e-waste and incorporate these e-waste management procedures in the existing Hazardous Waste regulations. For OHS aspects, SOPs can also rely on internationally recognized management and specification standards such as OSHA, ANSI, and which include general and industry specific examples of Good International Industry Specific Practices (GIIPs)

ii. **Prepare and Develop climate resilient and environment friendly Policy Framework (PF).**

- Management of environmental and safety risks of the construction activities at schools and health facilities covering workers and community safety.
- Policy Framework (PF) must include specific measures for identifying, handling and disposing of hazardous material during construction activities.
- The international best practices for construction activities can be considered while developing the PF.
- These construction activities will be constructed and operated as per the PF. PF will provide the standard requirement for the number of toilets to be constructed at specific school and health facility. It must contain provision for the proper treatment (septic tanks), transport through sewers and disposal at the designated location. PF will focus on the supplying, monitoring and ensuring sufficient quantity of water for the sanitation and drinking purposes and its required quality in accordance with national standards.
- PF will include electrical safety aspect as well to ensure safety during electrical designing and installation of electricity distribution system at schools and health facilities. PF will include:
 - i) provision of earthing at each facility to avoid any hazard (electrocution),
 - ii) installation of ELC (Earth Leakage Circuit Breaker) or RCCB (Residual Current Circuit Breaker) at distribution boxes to avoid safety hazard due to moisture (electrocution),
 - iii) installation of MCB (Miniature Circuit Breaker) or MCCBs (Molded Case Circuit Breakers) to avoid overloading or short circuiting,
 - iv) proper cabling through cable trays and conduits,
 - v) use of thimbles/termination lugs to avoid sparking due to loose connections,

- vi) installation of surge/lightning arrestor to protect against lightning,
- vii) installation of fire protection system,
- viii) use of standard cables with proper insulation to avoid fire hazard etc.

iii. Review LAA 1894 and prepare SOPs to respond to system and capacity gaps

- The Law does not cover non-titleholders and encroachers for any type of compensation. There is a strong resistance to this as most public officials consider encroachments as organized crime where influential individuals occupy public land and lease/rent it out to the Landless.
- Replacement costs for assets not considered. One of the reasons cited has been the antiquity of the Law. Such concepts were not present in the colonial rule of 1894.
- Livelihood improvement or restoration measures are not a consideration under the Law. A serious short coming in the Law. The law is silent on such compensations for even the titleholders
- Prepare Standard Operating Procedures (SOPs) to respond to all system and capacity gaps on resettlement and encroachment. SOPs for compensation of economic or physical displacement of encroachers

iv. Review the performance of the existing KP forums on Social Protection, RTI, RTS, Status of Women and others to improve the inclusion of vulnerable groups for promoting equity and inclusion.

- Review the performance of the above forums to improve equitable access for women and vulnerable groups such as the disabled, and ensure citizens have access to information and basic services for promoting equity and inclusion.
- The performance review of the forums is proposed to be based to help and support the program activities more inclusive and responsive towards the vulnerable people.

v. Conduct studies on Gender Assessment, Social Assessment and Social Conflict Analysis

Conduct a gender assessment to guide the Program on initiating change and change management for improved access of women to basic service delivery systems (health and education).

- Conduct a social assessment to establish a baseline of access to health and education services by communities in remote and historically underserved districts including NDMs; to monitor and establish a midline and an endline on the same indicators.

vi. Prepare Training Modules and conduct trainings to build the capacity of the stakeholders on e-waste guidelines, policy framework and community health and safety, labor safety, child labor and Sexual Exploitation and Abuse and Harassment (SEAH)

- Develop internal procedures for the handling of environmental and social risks related to the Program for the implementation of these procedures
- Ensure capacity building of key Program staff in the management of environmental and social risks.

- Organize and develop tool kit for training on e-waste management Guidelines, Policy Framework and community health and safety, child labor and SEAH as part of the capacity-building activities under the program.

vii. Prepare Occupational Health & Safety Plan (OHS), Community Health and Safety Plan and Gender Based Violence (GBV) Action Plan

- Prepare an Occupational Health and Safety Plan, Community Health and Safety Plan and GBV Action Plan for the Program activities related to construction and operation of basic facilities in schools and health centers, based on World Bank ESF guidelines and international good practices. These plans will to be implemented by each IA and construction contractors. IAs to ensure all construction contracts include community health and safety, labor safety child labor and SEAH prevention clauses.

D. Administrative Support Arrangements

7. The Firm will be required to establish an office in Peshawar during the full duration of implementation of the proposal.

E. Facilities to be Provided by Client

- Provide support to the Firm in (i) collection of data, (ii) intimation of workshop to participants, (iii) coordinating with stakeholders for organizing trainings;
- Review and critically assess the outputs and deliverables of experts to confirm that such outputs are in compliance with the relevant TOR;

F. Duration/timelines

8. The full duration of this contract is 18 Months

G. Reporting

9. The Consultant will report to PD KP-SPEED.

Responsibilities/Activities and Qualification of Experts

Team Leader

Responsibilities of Team Leader

- Lead strategic engagement of the assignment with all stakeholders
- Lead and manage other special studies / assessments required in the timely completion of the deliverables
- Work collaboratively to accomplish the deliverables/assignment
- Prepare and submit documentation for approval/non-objection and amend in line with comments.
- Knowledge of the World Bank's Safeguard policies and other Good International Practice.

Required Qualification

The Team Leader shall have:

- A Master's degree in Social Sciences.
- Professional experience of working with international financial institutions like ADB, WB, Islamic Development Bank, etc.
- Proven and demonstrated experience of working on safeguards
- Ten (10) years of experience of working on similar assignments.
- Strong leadership, team management, and conflict resolution and communication skills.

Gender Specialist

Responsibilities of Gender Specialist

- Conduct a desk review, develop methodology and reports for gender assessment and social assessment studies for improved access of women to basic service delivery systems (health and education).
- Conduct interviews, focus groups discussions and trainings to the IAs and stakeholders
- Compile and share the international best experience in gender and safeguards development, from relevant Gender studies.
- Prepare the final gender and safeguards analysis based on all the above with conclusions and recommendations to address gender gaps.
- Conduct consultation workshop with stakeholders to review/ discuss /comment on the gender analyses and action plan.

Required Qualification

- Master's degree in Gender studies, Social Sciences, Development, or other related fields
- At least 5 years of substantive professional experience in Gender related socio economic and environmental analyses.
- Proven experience in preparation high -quality reports on gender analyses and socio economic studies
- Familiar in working with donors and multiple stakeholders.

Social Safeguard Specialist

Responsibilities:

- Develop guidelines management plans and assessment studies in line with the social safeguards requirements of the ESSA
- Organize and conduct trainings for the stakeholders on guidelines, policy framework on community health and safety, labor safety, child labor and Sexual Exploitation and Abuse and Harassment (SEAH).
- Design and prepare assessment studies on Occupational Health & Safety Plan (OHS), Community Health and Safety Plan and Gender Based Violence (GBV) Action Plan
- Review LAA 1894 and prepare SOPs to respond to system and capacity gaps
- Review the performance of the existing KP forums on Social Protection, RTI, RTS, Status of Women and others in order to improve the inclusion of vulnerable groups for promoting equity and inclusion.

Required Qualification

- Master's degree in social sciences/development studies
- At least 08 years of experience in social management, social protection, resettlement and gender related tasks/activities.
- Previous experience on social safeguard policies
- Knowledge of the World Bank's Environmental and Social Framework (ESF). Experience with ESF or other Good International Practice.
- Previous experience in conflict and citizen engagement will be considered an asset

Environmental Safeguard Specialist

Responsibilities:

- Develop guidelines, policy frameworks and management plans and assessment studies for relevant environmental policies, acts and regulations
- Organize and conduct trainings for the stakeholders on e-waste guidelines, policy framework and management plan for assessment of environmental risks and impacts.
- Design and prepare assessment studies on hazardous material, climate resilient and environmentally friendly infrastructure.

Required Qualification

Master's degree environment or natural resource management, environmental science or engineering, agriculture, forest management or related field is required.

- A minimum of (07) seven years of full-time demonstrated relevant professional experience required.
- Proven knowledge of OHS issues, planning and management preferable in the construction industry
- Proven ability to build effective working relations across sectors and disciplines.
- Experience in helping build institutional capacity, among the stakeholders/Implementing partners.

- Knowledge of the World Bank's Environmental and Social Framework (ESF). Experience with ESF or other Good International Practice.