



**MINISTRY OF LANDS, HOUSING AND URBAN DEVELOPMENT
Plot 13/15 Parliament Avenue P.O Box 7096 Kampala**

**REQUEST FOR EXPRESSION OF INTEREST FOR CONSULTANTS TO UNDERTAKE
ENVIRONMENTAL AND SOCIAL AUDIT FOR USMID-AF ONGOING BATCH 1A
MUNICIPAL INVESTMENT PROJECTS IN MBALE, SOROTI AND TORORO**

Reference No: MLHUD/USMID-AF/CONS/21-22/00018

1. Background;

Government of Uganda through the Ministry of Lands, Housing and Urban Development is implementing the Uganda Support to Municipal Infrastructure Development Additional Financing (USMID-AF) Program with financial support from the International Development Association (IDA) of World Bank, for 5 years starting FY 2018/19, following the successful implementation of the initial phase. The USMID-AF program maintained the development objectives but increased geographical coverage to eight additional MCs namely Kitgum, Kamuli, Mubende, Kasese, Busia, Ntundamo, Apac and Lugazi and also introduced 8 districts of Adjuman, Moyo, Yumbe, Arua, Isingiro, Kiryandongo, Kamwenge and Lamwo that have a high influx of refugees. The Program's expected outcomes are:

1. strengthened capacities of participating municipalities in fiduciary, safeguards, urban planning and own source revenue (OSR) generation,
2. increase in total planned infrastructure completed by participating municipal LGs,
3. enhanced service delivery through improved local infrastructure in Local Governments hosting refugees, and
4. enhanced capacity of MLHUD for urban development, management and back-stopping for the implementation of the Program.

The support to the municipalities focuses on the following seven result areas:

1. Linkage between Municipal Physical Development Plan, Five year Development Plan and Budgeting;
2. Municipal own source revenue (OSR);
3. Procurement performance;
4. Municipal accounting and core financial management;
5. Execution/implementation of budget for improved urban service delivery;

6. Accountability and transparency (monitoring and communication); Enhanced environmental and social sustainability (Environmental, social and resettlement due diligence).

1.2 Justification and Relevancy of the assignment

Despite the intended project objective indicated above, infrastructure projects sometimes have unintended adverse social and environmental impacts on the contractors workforce, and the beneficiary communities. It is therefore important that stakeholder engagements, environmental and social Safeguards are considered alongside construction and operation activities throughout the period for the following reasons;

- To avoid adverse consequences of the projects on people (i.e., individuals and communities) and the Environment.
- To ensure that the sub projects are constructed as per the design and that quality materials are used for construction. Where there are changes in design, these have to be agreed with the users.
- To avoid costly implementation delays and eliminate costs of retro-fitting or re-designing projects
- To establish a good reputation among clients, development partners and other stakeholders, and ensure brand visibility of the project funders and clients throughout.
- To comply with the ESIA certification conditions, other Ugandan regulations and the World Bank Safeguard policies that is financing the civil works.

The Ministry therefore now seeks to engage the services of a firm or organisation to undertake the activities of Stakeholder Engagements and Disclosure activities; HIV/AIDS management, Gender Based Violence, Violence Against Children, Social and Environmental risk management services in the 11 RHDs.

1.1. Objectives of the consultancy assignment

- i) Work with the PST to maintain a constructive relationship with key stakeholders on an ongoing basis, ensure ownership, participation and support throughout the project implementation stages through meaningful engagement, capacity building and training of stakeholders and structures to fully understand the key aspects of the project; their roles and responsibilities in implementation and management of the project.
- ii) Establish and build the capacity of Project Monitoring Committees at every subproject. This will include producing committee operation guidelines and tools.

- iii) To assist in mitigating the potential social risk of the spread of HIV and other sexually transmitted infections and promotion of community health and safety arising from implementation of the project.
- iv) To assist in monitoring the established Grievance Redress system so as to be accessible to the communities for claims, recommendations, to the project central team and report on its efficiency.
- v) To assist in enhancing mechanisms to mitigate risks and respond to cases of GBV and VAC due to labour influx and its associated effects in the project and beneficiary communities.
- vi) Support the engagement of the stakeholders on the operations and implementation of the project for community support and buy in.
- vii) Train and build capacity of sector professionals both at the central (3 staff) and local governments (2 per LG) regarding the three areas of the assignment.

Broad Activity Categories under the Consultancy

The consultancy shall have 3 broad categories (Stakeholder Engagements, Environment, and Social safeguards) to cover all the planned aspects of the project;

- 1) Stakeholder engagement, consultations, capacity building and training of stakeholders and management of grievances emanating from project activities.
- 2) Establish and build the capacity Project Management committees at every sub project.
- 3) Support and monitor implementation of the RAP by the client.
- 4) Managing Social Risks associated with HIV and AIDS, and Gender Based Violence (GBV) and Violence against Children (VAC).
- 5) Establishment and Implementation of health and safety structures, conducting community health and safety campaigns; and monitoring and reporting on these.
- 6) Ensuring and supporting conservation of biodiversity and ecosystems within the project areas- focus shall be on community and institutional tree planting, waste management and environmental education.
- 7) Adherence to reporting protocols of both incidents and regular periodic reports.

1.2 Scope of Work

The major audit tasks that the consultant is expected to handle shall include (but not limited to) the following:

- **Compliance to statutory approvals:** Assess and ascertain the level of compliance of sub-projects operations to the recommendations and requirements of the NEMA approval certificate for the ESIA for sub-projects. Furthermore, assess and ascertain the level of compliance of operations to other statutory requirements as stipulated in the several permits issued (these include but not limited to: NEMA Certificate for borrow sites, campsites, parking yard; Directorate of Water Resources Management (DWRM) Water Abstraction Permit; Ministry of Gender, Labour and Social Development (MGLSD) Workplace Registration Certificate; Local Government (LG) Occupational Permits for campsites; and permits for operation of site sick bay/clinic).
- **Performance of C-ESMPs:** Evaluate and validate the performance of the contractors (and associated sub-contractors, suppliers and service providers) on their C-ESMPs (and the appendant management plans) that were developed to guide on compliance of contractors' operations to the safeguard requirements of the project.
- **Participation of LG stakeholders and beneficiary communities:** In a bid to assess project performance, the consultant shall make a plan for stakeholder consultation. The views from the consultations shall be taken into account when preparing the ESIP and shall be incorporated into the ESA report. The focus shall be to review the participation of LGs and communities in the supervision, compliance monitoring, complementary support and independent involvement in operations aimed at achieving safeguards compliance. Emphasis should be paid to involvement of staff from the departments of Natural Resources, Health and Community Based Services; Municipal Development Forums (MDF) and other community structures.
- **Environment compliance:** Assess compliance to the required biodiversity and ecosystems conservation standards and evaluate the feasibility of mitigations and/or restoration measures planned or undertaken. Review the availability, adequacy and functionality of contractors' response to other environmental requirements - emphasis should be on noise and dust management measures; presence of requisite environmental staff for the contractors' and supervising consultant; environment management training; water quality assessments undertaken at critical points (focus on stream crossings where Box Culverts are being established); other environmental assays deemed necessary. For the ongoing works, the Consultant should undertake measurements of key environmental parameters (air quality, noise, vibrations, water quality etc.); assess these against baseline findings and the established national/international standards to determine any impacts attributed to the project.
- **Environment & Social (E&S) Planning, Tracking and Reporting:** Evaluate the contractors' approved E&S work plans and corresponding progress reports expected to be submitted to MLHUD, relevant Ministries, Departments and

- Agencies (MDAs) and other stakeholders; consider the content and timeliness of planning and reporting by the contractors and the supervising consultant on E&S issues (coincidental and routine).
- **Healthcare provision system:** review the access to the established healthcare system to ascertain availability, functionality and adequacy of: required structures (staff, clinic facility, equipment and related amenities); healthcare supplies (medicines, contraceptives, and related items); medical record keeping; workers' medical screening (pre-employment, routine, and upon discharge from employment); management of minor and major accidents; and HIV/AIDS services (including counselling & testing, care & treatment, social support and trainings/awareness creation) among others.
 - **Safety compliance:** review the established safety systems for workers, visitors and members of the public to ascertain their availability, adequacy and functionality. Emphasis should be paid to: toolbox meetings & safety trainings (e.g. fire drills, emergency response); safety gadgets (fire extinguisher, first aid kits etc.); traffic control systems (Flag Cadres, speed humps, road signages etc.); PPE provision and use-adherence; systems for tracking safety incidents; delineation & safeguarding of campsites, worksites and hoarding of public institutions etc.
 - **Management of contractors' fleet:** review the contractors' fleet management systems aimed at ensuring safety; focus should be on their availability, adequacy and functionality. Emphasis should be on: policy statements on speed regulation (including inscriptions in the fleet); servicing and repair (delve into the records for all equipment); competence of fleet drivers and operators (review driving permits, relevant trainings undertaken under the project etc.).
 - **Waste Management Systems:** review the contractors' waste management systems (covering all wastes - solid, hazardous, medical and sanitary waste) while keeping in consonance with the recommended practices; the focus should be on availability, adequacy and functionality of the systems. Emphasis should be on: availability of waste handling devices; implementation of operations that allow for sorting of wastes and re-use; existing MoUs, disposal of wastes to gazetted dumping sites (pay attention to disposal sites and evidence of disposal certificates as applicable);
 - **Social risk management for workers & members of the community:** Review social risk management systems to ascertain their adequacy. Emphasis should be on: child sexual abuse and exploitation; gender-based violence; acceptable acquisition of land, material or disposal sites (with clear documentation); availability of social protection structures (staff and facilities) for the contractors and supervising consultant; level of community engagement; involvement of other arms of government in ensuring social risk management etc. On the performance of Grievance Redress Systems (GRS), the consultant

shall assess the performance of the existing GRS; attention shall be on how grievances have been settled; ratio of settled versus pending grievances; consideration of which GRS was utilised (project, judicial, community and traditional grievance redress mechanisms). The consultant shall assess the effectiveness of the current mechanisms for preventing, tracking, reporting and managing gender and child rights violations; this will involve assessing the scale of awareness, codes of conduct, linkages and referral pathways for managing cases of these rights violations.

- **Physical and Economic Displacement (Involuntary Resettlement):** Review and assess any incidences of physical and economic displacement; damage to individual and public amenities; review conditions surrounding the identified physical and economic displacements and damage of amenities.
 - The Consultant should review the available records pertaining to social risk management and engage with existing structures (amongst the supervising consultant, contractors' and community) to make an opinion.
 - **Adequacy of workers' employment & welfare requirements (including sub-contractors):** Review the availability, adequacy, functionality and timeliness of workers' employment & welfare requirements aimed at maintaining a productive workforce. Emphasis should be on: employment contracts for all workers; assent of workers to company E&S codes of conduct; payment of salaries, wages, overtime allowances and statutory remittances; compensation for injuries or fatalities as applicable; valid insurance cover; food and drinking water requirements; workers' behaviour-management regulations (to control alcohol & drug abuse and crime); work-place conveniences (sanitation, resting, designated smoking areas etc.) at campsites and work fronts; and employment of locals and special interest groups
 - **Management of Physical Cultural Resources (PCRs):** review and assess the effectiveness of PCR management systems where applicable (in case of any Chance-Finds).
 - Documentation of good practices which can be relayed to other sub-projects and to be implemented prior to the closure of the on-going sub-projects.
2. The Ministry of Lands, Housing and Urban Development now invites eligible consulting firms ("Consultants") to indicate their interest in providing the Services.
 3. Interested Consultants should provide information in form of brochures, company profiles, etc., demonstrating that they have the required qualifications and relevant experience to perform the Services. The Consultants should indicate their interest in providing the Services by responding to this request for expression of interest.
 4. The Expression of Interest will be evaluated based on the Public Procurement and Disposal Act and Regulations (2003 and as amended) and each Firm will need to submit **5 copies** of the documents (**soft copy [PDF] & hard copy**).
 5. **The short listing criteria:**

Firms shall be evaluated based on the following criteria:

- i) Eligibility requirements including:
 - a. Valid practicing and/or trading license 2022 or its equivalent,
 - b. Tax clearance certificate addressed to Ministry of Lands, Housing and Urban Development.
 - c. Certificate of incorporation or Registration and all other legal documents
 - d. All Company legal documents including Memorandum and Articles of Association.
 - e. Registered/notarized Joint Venture/ Association Agreement
 - f. And any other mandatory requirements for a firm to provide services to the Government entity in Uganda.
- ii) Evidence of having completed 03 (three) Environmental and Social audit assignments for donor or government funded infrastructure projects in Uganda or in any developing country in the past 5 years. The consultant shall provide evidence of submission of completed ESA reports to the relevant agencies or their approval.
- iii) *Recommendation from at least four previous clients to confirm this experience will be required.*
- iv) Presence of skills among the consultant's personnel and in adequate numbers in the following areas:

Team Leader / Certified Environment Auditor or Social Impact Assessor.

- ♣ Bachelor's Degree and Master's Degree in any of the following: Environmental, Natural Sciences, Social Sciences
- ♣ Must be registered with NEMA as an Environment Audit or Social Impact Assessment Team Leader (if registered with other foreign statutory body, shall be required to register in Uganda before contract award).
- ♣ Eight (08) years' of demonstrated experience working as an Environment Auditor or Social Impact Assessor at the national or regional level; three of which should have been as an Audit Team Leader.
- ♣ Past experience of 05 years in conducting audits in donor funded infrastructure projects within Uganda or sub Saharan Africa.

Natural Resources Management Expert

- ♣ Bachelor's Degree in Environmental Management, Forestry, Natural Resources, Botany, Ethnobotany or Zoology
- ♣ Master's Degree in any of the above or related disciplines
- ♣ The expert should be registered Environment Auditor with NEMA or an equivalent body in his/her country and duly authorized to carry out such work in Uganda.
- ♣ Eight years of relevant experience working on environmental & social audits;
- ♣ Experience of five years in conducting audits in donor-funded infrastructure projects.

Social Development Expert

- ♣ Bachelor's Degree in Social Work, Development Studies, or Social Sciences with bias in Anthropology, Sociology, Social Administration, Community Psychology
- ♣ Master's Degree in any of the above disciplines
- ♣ 08 years' general experience of implementing or supervising social development projects.
- ♣ Experience of 05 years of conducting social audits or evaluations on donor funded infrastructure projects.

Health & Safety Expert

- ♣ Bachelor's degree in Environmental Health, Public Health, Community Health, Industrial & Organisational Psychology, Safety Engineering
- ♣ Possession of Diploma OR a recognized professional qualification in Occupational Safety & Health.
- ♣ 03 years relevant experience in the implementation of health & safety requirements in the construction industry.

6. Consultants may associate with other firms in the form of a joint venture or a sub-consultancy to enhance their qualifications. However the EOI should specify the nature of association i.e. whether joint venture or sub-consultancy.

7. A Consultant will be selected in accordance with the Quality and Cost Based Selection (QCBS) method set out in the Consultant Guidelines.

8. Further information can be obtained at the address below during office hours from **08:00 to 17:00 hours (Local Time):**

The Head of Procurement and Disposal Unit
Ministry of Lands, Housing and Urban Development,
First Floor, Room 17 Parliament Avenue,
Kampala- Uganda
Telephone +256 414 345298
E-mail: pdumlhud@gmail.com,

9. Written Expressions of Interest must be delivered physically or by courier to the address above by **10:00 am on 18th May 2022.**

10. The detailed notice of expression of interest is available at the Entity's website at www.mlhud.go.ug and at www.pdda.go.go/tenderportal

11. Proposed Schedule

Activity	Date
Invitation for Expression of Interest (EOI)	5th May 2022
Closing Date for Submission of (EOI)	18th May 2022 at 10:00Am
Short listing and process and necessary approvals	19th – 31st May 2022
Issuance of RFP	6th June 2022
Pre-Bid Conference	15th June 2022 at 10:00Am
Closing Date for Submission of Proposals	28th June 2022
Evaluation of Technical and Financial Proposals	29th July to 27th July 2022

Negotiations and contracting	13 th June 2022 at 10:00Am
------------------------------	---------------------------------------

D.W. Okalany

Permanent Secretary