

TERMS OF REFERENCE (ToR)

Implementation of the Moldova Water Security and Sanitation Project (P173076)

Environmental Specialist
within
National Office for Regional and Local Development

I. BACKGROUND

Project context

Moldova Water Security and Sanitation Project (MWSSP) is a World Bank-financed Project to be implemented by the Ministry of Infrastructure and Regional Development (MIRD). The Project was signed on April 22, 2022, with expected effectiveness 120 days after signature date. The Project itself will have a duration of five years and aims to increase access to improved water supply and sanitation services in selected rural areas and towns, and to strengthen institutional capacities for water supply and sanitation service delivery.

The design of the project takes into account the Government of Moldova's vision for the water supply and sanitation (WSS) sector. Moldova's recently revised National WSS Strategy 2014–2030¹ endorses SDG target 6.1 and 6.2, sets national interim targets for 2024, and articulates strategic reform directions. The strategy's targets are to achieve coverage with WSS² infrastructure of 80 percent in urban areas and 75 percent in rural areas by 2024. The strategy stipulates improvement of the management and professionalization of services through regional WSS companies, leaving space for public-private models in geographies where regionalization is not delivering immediate advantages. It articulates the need to improve the regulatory environment, with a focus on inclusion, quality, and sustainability of services. At the same time, the WSS sector is a key priority area in the regional development policy, as reflected in the draft National Strategy for Regional Development 2022-2028.³

The Project consists of four components:

Component 1: Increasing access to safely managed WSS services in selected rural areas and towns (EUR 41.0/US\$46.5 million). This component will develop new and rehabilitate existing WSS infrastructure and WASH facilities in rural areas and towns, thus expanding access and quality of services for households, businesses, and public institutions and supporting resilience.⁴ It consists of two subcomponents:

Subcomponent 1.1: Expanding access and quality of WSS services (EUR 37.5 million/US\$42.5 million). This subcomponent will finance climate-resilient investments in towns and rural areas.

Water supply investments: Expansion and rehabilitation of the regional water systems for water supply production and distribution, and service connections for LPAs in selected districts, including the preparation of relevant technical studies and management documents; technical supervision; and citizen engagement activities. This refers to water supply infrastructure in two

¹ Updated and approved by Government Decision 440 of July 1, 2020.

² Sanitation refers to both access to wastewater networks and treatment systems and on-site facilities such as septic tanks.

³ The National Regional Development Strategy is scheduled to be approved by end of 2021

⁴ See the WASH Climate Resilience Strategic Framework (UNICEF, Global Water Partnership, 2014) for links between WASH and climate resilience.

preliminarily identified subprojects, that is, regional water system expansion for LPAs in Cahul District and the ATU of Gagauzia⁵ and a regional water supply system with a surface water treatment plant in Riscani District. Many LPAs, particularly in the south (Cahul) as well as in the northern part along the Prut (Riscani), face shortages of water in the summer, with shallow wells/springs posing a challenge such as in the Prut cluster villages, in the Vulcanesti town, and other villages in Cahul District.

Wastewater investments: Expansion and rehabilitation of wastewater systems in selected towns, including the construction and rehabilitation of sewer networks and service connections, and the construction of new wastewater treatment plants, including the preparation of relevant technical studies and management documents; technical supervision; and citizen engagement activities. This refers to two preliminarily identified subprojects in Soroca and Comrat towns.

Pilot for on-site household sanitation: Selected rural or peri-urban villages, will benefit from the improvement of on-site household sanitation following a demand-led approach through the provision of technical assistance, the implementation of information campaigns, and the carrying out of civil works.

Subcomponent 1.2: Improving resilient WASH facilities in public social institutions (EUR 3.5 million/US\$4.0 million). This subcomponent will finance works, goods, consulting services, non-consulting services and training/workshops to realize climate-resilient WASH facilities in HCFs and education institutions and implement hygiene education and behavior change communication program. The subcomponent will finance capacity development for school and health center management and LPAs to ensure adequate operation and maintenance (O&M) of the facilities.

Component 2: Strengthening institutional capacity at national and local levels for WSS service delivery (EUR 3.5 million/US\$3.9 million). This component focusses on institutional capacities of national and subnational entities and WSS operators for management, planning, regulation and reform implementation, and performance improvement of service providers for green, resilience, and inclusive service delivery.

Component 3: Project management and coordination (EUR 2.1 million/US\$2.4 million equivalent). This component will finance operational costs, consulting services, non-consulting services, goods, and training to finance the overall project management cost, including the project team at the Project Implementation Unit (PIU), implementation support consultants at the regional level within MIRD's RDAs for environmental and social standards implementation, and, at the national level, MIRD as the project implementing entity (PIE). It will finance training costs, including for capacity building in procurement, environmental, and social standards, specialized short-term implementation support consultants, financial audits, project communication and citizen consultations, and monitoring and evaluation (M&E).

Component 4: Contingent emergency response component (CERC) (EUR 0 million/US\$0 million). A provisional zero-amount component is included, which will allow for rapid reallocation of credit/loan proceeds from other components during an emergency under streamlined procurement and disbursement procedures. This component allows the Government to request the World Bank to recategorize and reallocate financing from other project components to cover emergency response and recovery costs.

Environmental and Social Framework

⁵ Its autonomy is ethnically motivated by the predominance of the Gagauz people. On December 23, 1994, the Parliament of the Republic of Moldova accepted the 'Law on the Special Legal Status of Gagauzia'.

The Environmental and Social Framework (ESF) became effective on October 1, 2018 and applies to all Investment Policy Financing (IPF) projects initiated after this date. It makes important advances in areas such as labor, non-discrimination, climate change mitigation and adaptation, biodiversity, community health and safety, and stakeholder engagement – including expanding the role of public participation and grievance mechanisms. The ESF enhances commitment to sustainable development through ten Environmental and Social Standards (ESS) that are designed to support Borrowers' environmental and social (E&S) risk management. The ESF uses a risk-based approach that applies increased oversight and resources to complex projects and promotes increased responsiveness to changes in project circumstances through adaptive risk management and stakeholder engagement.

The ESF enables Borrowers to better manage project risks as well as improve environmental and social performance, consistent with good international practices. It has provided scope for Borrowers to be innovative and has helped prompt dialogue on specific E&S risks relevant to their own national development agendas.

The Project is processed under the new ESF and is classified as Substantial for both environmental and social risks. Seven of the ten Environmental and Social Standards (ESS) are relevant for this project: ESS1 (Assessment and Management of Environmental and Social Risks and Impacts); ESS2 (Labor and Working Conditions); ESS3 (Resource Efficiency and Pollution Prevention and Management); ESS4 (Community Health and Safety); ESS5 (Land Acquisition, Restrictions on Land Use and Involuntary Resettlement); ESS6 (Biodiversity Conservation and Sustainable Management of Living Natural Resources); and ESS10 (Stakeholder Engagement and Information Disclosure). ESS8 (Cultural Heritage), ESS7 (Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities), and ESS9 (Financial Intermediaries) are not currently relevant since no activity will have an impact on any known cultural heritage nor will involve financial intermediaries, and no indigenous people are considered to be present in Moldova. At this stage, several subprojects are proposed by the borrower for the project's financing, although their final location and technicalities are not yet identified. Hence, framework mitigation instruments are developed.

Most of the environmental and social impacts and risks relate to Component 1, which will develop WSS infrastructure and services in towns and rural areas and will improve WASH facilities in schools and HCFs. Civil works for water supply and wastewater and household-level improvements will likely generate adverse site-specific risks and impacts such as interruption of the functioning of rural and small town water supply systems; disposal of material excavated during construction/rehabilitation activities; occupational health and safety (OHS) of workers during construction and operational phases; increased levels of dust, noise, and vibration; potential finds of hazardous materials such as asbestos-cement pipes; community health and safety risks from, in particular, the risk of pollution to surface water and groundwater sources during construction.

To manage impacts and risks, MIRD has prepared an ESMF and an ESCP. The ESMF as prepared by MARDE was disclosed on February 23, 2021 and consulted with stakeholders on March 10, 2021, and redisclosed on November 8, 2021 to reflect the government restructuring. Subprojects and site-specific environmental and social impacts will be presented in detail in the subproject-specific environmental assessment documents (such as ESIA and Environmental and Social Management Plan [ESMP]) to be prepared by MIRD, on behalf of the related LPAs, during the project implementation phase. The ESMF sets out the environmental and social assessment requirements of the project's activities and provides guidance on the preparation of site-specific ESMPs and/or checklists, as well as the contractors' codes of conduct. The ESMF refers to activities that can be addressed with good engineering and construction practices, by preparing and implementing adequate mitigation measures and applying adequate OHS practices during construction for both the construction workers and the communities. On the social side, the ESMF focusses on screening for land acquisition, labor impacts, and specific vulnerable groups (for

example, gender and Roma communities). The ESMF includes environmental and social guidelines for the CERC.

The ESMF serves as a screening tool for all subprojects and will screen out high-risk project activities as ineligible for financing under this project. The requirement for the development of the site-specific ESMPs along with adequate staffing of the PIU as well as RDAs with respect to environmental and social management is reflected in the ESCP prepared for the project and integrated into the legal agreements. One of the key concerns related to environmental sustainability is the management of sludge from the new WWTPs and the ESCP indicates the need for cost-effective technology selection and the development of a sludge management plan.

MIRD prepared an SEP, RPF, and Labor Management Procedures (LMP) annexed to the ESMF. These documents were disclosed on February 23, 2021 and consulted with stakeholders on March 10, 2021, and redisclosed on November 8, 2021 to reflect the government restructuring. Social risks and impacts relate to the potential exclusion of poor and vulnerable households to project benefits as well as potential issues of land acquisition for rehabilitation and new construction of civil works. Civil works under Component 1 and possibly Subcomponent 2.2 may cause temporary economic displacement, and/or temporary construction induced impacts on private assets and businesses, and disruptions to residents and local businesses or are caused by land acquisition and restrictions on land, damages to utility service lines, and access restrictions to residences and parking lots during construction. Other adverse impacts may arise from labor influx into the areas by contractors, OHS issues, adverse impacts on community health and risk of gender-based violence (GBV). There is a low risk of labor influx as most civil works are expected to be carried out by local workers. GBV risk is rated low based on the scale of activities and existing analysis of the country context and referral mechanisms and support services available. The project is expected to have positive social impacts for the households in selected rural villages and towns. The project has included specific measures to ensure inclusive project outcomes through targeted support measures for poor and vulnerable households (see Social Inclusion section for details).

The SEP will guide implementation, identifying all types of stakeholders and appropriate methods for consultation throughout the project. A grievance redress mechanism, with submission and resolution mechanisms at the local level (LPAs), and central PIU and MIRD level, will be established by project effectiveness. Complaints received and resolved will be reviewed during the implementation support missions. A project-specific digital citizen engagement platform will be used for consultation (for example, for all ESF documents) and for online submission of feedback and grievances.⁶ An outreach strategy will be implemented to promote its usage, with hyperlinks to web pages of LPAs, RDAs, and WSS operators. Information for submission of inquiries/grievances will be placed on MIRD's and RDAs' websites. The process of addressing grievances and related forms will be included in the POM. LMPs outline the measures and actions to be undertaken to ensure proper management of labor and working conditions. For the land-related impacts including construction-induced economic displacement, the RPF will guide to prepare site-specific mitigation action plans such as Resettlement Action Plans.

II. OBJECTIVES

The objective of the assignment is to support the National Office for Regional and Local Development (the Project Implementation Unit (PIU)) under the Ministry of Infrastructure and Regional Development (MIRD) in the implementation and oversight of environmental aspects related to Project implementation. The environmental specialist will be a part of the core PIU team. The environmental specialist is expected to lead, management and coordinate timely environmental standards implementation and ensure compliance with World Bank and national requirements of the

⁶ A test platform was set up and will be finalized before effectiveness. See <https://yrpri.org/community/1657>.

Republic of Moldova. The environmental specialist shall ensure that all environmental aspects are integrated into MWSSP activities in line with the Environmental and Social Management Framework (ESMF) documents that were prepared prior to Project Approval.

III. SCOPE OF WORK

The Environmental Specialist (*hereafter* the Consultant) will be responsible for ensuring that all environmental issues are considered and that environmental mitigation measures are developed and built into MWSSP activities. Much of the preparatory work for environmental standards implementation has already been prepared as part of Project Approval, and it is expected that the Consultant, in collaboration with the Social Specialist, shall ensure the implementation of activities and efforts in line with these documents, with adequate follow-up and oversight to ensure that these mitigation measures are implemented during the design, construction, and operational phase.

Responsibilities of the Consultant include, but are not limited to the following:

- Act as the focal point for coordination of activities related to environmental issues between the PIU, MIRD, Regional Development Agencies, the World Bank, the Ministry of Environment (MoE), Apele Moldovei, sector donors, contractors and other affected parties and stakeholders.
- Ensure that the Project is implemented in accordance with the ESMF/ ESMP, social standards and other relevant contractual provisions;
- Contribute to, review and comment on the environmental documentation (Environmental and Social Impact Assessment Reports or/and Environmental and Social Management Plans (ESMP) or any other documentation required by the relevant national authorities and by the World Bank prepared by the Contractors and Consultants for the Project;
- Assist in carrying out environmental screening of subprojects and activities;
- Ensure that relevant environmental requirements are included in the Bidding Documents for Service, Works, and Supply Contracts. These include ensuring that the standard environmental and social contracting clauses developed as part of the ESIA's and ESMP are incorporated into proposal requests or bid packages as necessary. Assist the Procurement Specialists and other PIU members with issues related to environmental aspects;
- Examine Project Bids for the above requirements;
- Confirm that Contractors have all the required national/local permits to perform the works and installation according to their Contracts before the commencement;
- Coordinate with the technical team and environmental specialists of RDAs to ensure that any required actions are completed before start of civil works;
- Review periodically the status of all the environmental permits. A periodic status update will be included as a component of the reporting requirements;
- Provide operational support on environmental risk management including undertaking regular site visits to assist task teams to review documentation and implementation to ensure that environmental issues have been adequately addressed and that the project is in compliance with ESMF;
- Provide ongoing monitoring and supervising of implementation by Contractors of the environmental plans and environmental protection measures specified in the ESMPs and other ESF applicable instruments in order to assess the Contractor's environmental performance;
- Timely and accurately document cases on Contractor's non-compliance with the environmental requirements;
- Prepare progress reports on the implementation of the ESMPs;
- Serve as main interlocutor between the project-affected parties, PIU, MIRD and Beneficiaries on environmental impact issues;

- Review comments and complaints from project-affected parties on environmental issues and recommend actions to resolve problems;
- Actively participate and/or organize and manage periodic sessions for public consultation on environmental impact issues related to the Project;
- Update ESF-related documents as and when required, as well as other Project documents such as the Project Operations Manual;
- Participate in the commissioning of works from the environmental side;
- Notify and investigate incidents on/off-site;
- Identify needs for training and awareness based on nonconformities occurred on/off-sites;
- Inspect the works during the Defects Liability Period (DLP) for ESF-related aspects;
- Participate and support MIRD in applying the Bank's policy OP 7.50 – Projects on International Waterways regarding the notification process for riparian countries;
- Work in close collaboration with internal counterparts and external partners to strengthen the quality and consistency of environmental activities;
- Prepare and provide ad-hoc reports, information notes, and other project progress information;
- Co-ordination with other departments and agencies with particular reference to preparation;
- Upon completion of the assignment, provide a final report on activities performed;
- Perform other tasks and responsibilities related to the environmental issues as might be requested by the Project Manager and / or PIU Director.

IV. DELIVERABLES

The Consultant will:

- Environmental inputs to Environmental and Social Impact Assessment (ESIA) and Environmental and Social Management Plan (ESPM) for the project sites
- Site-specific ESF documents (ESMPs etc.)
- Periodic updates to ESF Section to the Project Operational Manual
- Quarterly Reports on ESS implementation
- Contribute to the Management Progress Reports developed by MWSSP PIU
- Provide inputs on social aspects on relevant documentation elaborated by the MWSSP team

The activities will be carried out in English or Romanian languages. The written communication will be submitted in one of or both languages – English or Romanian, depending on the situation and specific requirements. However, all the deliverables will be submitted electronically in English.

V. TIMING

This is a full-time assignment to be performed during the period of **12 months** and could be extended subsequently subject to the Consultant's satisfactory performance.

VI. INSTITUTIONAL ARRANGEMENTS

The Consultant will report to and work under the direct supervision of the PIU Project Manager. The Consultant will be a core member of the PIU working in tandem with all its members. The Consultant will prepare time-sheets and report directly to the Project Manager at the PIU about performed activities.

VII. RESOURCES

The PIU will provide working space, office equipment and communication facilities (including access to the Internet), as well as any other necessary means and support for consultant to carry out this assignment.

VIII. QUALIFICATION REQUIREMENTS AND EVALUATION CRITERIA

The Environmental Specialist should meet the following qualifications requirements:

- University degree in environment, natural resources management sciences, or a related field;
- A minimum of 7 (seven) years of relevant work experience;
- Proven experience in working with private or public sector to identify environmental risks, develop mitigation measures to ensure compliance with good international practice and preparation of Environmental Assessments / Management Plans for governmental organizations, NGOs and/or local communities;
- Previous experience with international organizations; working experience in environmental assessment for development projects, and familiarity World Bank's ESS and procedures an advantage.
- Knowledge on Project Monitoring and Evaluation;
- Knowledge of national environmental legislation;
- Strong analytical skills, ability to think strategically and synthesize diverse environmentally related data and information;
- Experience in planning and conducting public consultation meetings with different stakeholders;
- Willingness to undertake regular field visits and interact with different stakeholders;
- Proficiency in English and Romanian languages.
- Computer skills (MS Office and familiarity with project management software, such as MS Project).