

TERMS OF REFERENCE:
To undertake an Environmental and Social Impact Assessment (ESIA)
for Category A Projects
Sisian-Kajaran (North-South Corridor) Road Project - Armenia

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1 | BACKGROUND

1.1 | PROJECT DESCRIPTION

Under the Tranche 4 of the Armenian North-South Road Corridor on the extended core TEN-T network, the European Bank for Reconstruction and Development (the “EBRD” or the “Bank”) is considering providing finance to the Republic of Armenia (the “Borrower”, RA), to be co-financed by a sovereign loan from the European Investment Bank (“EIB”) and an investment grant from the EU NIP. The Implementing agency will be the “Road Department” State Non-Commercial Organization (“RD”, the “Client”) under Republic of Armenia Ministry of Territorial Administration and Infrastructure.

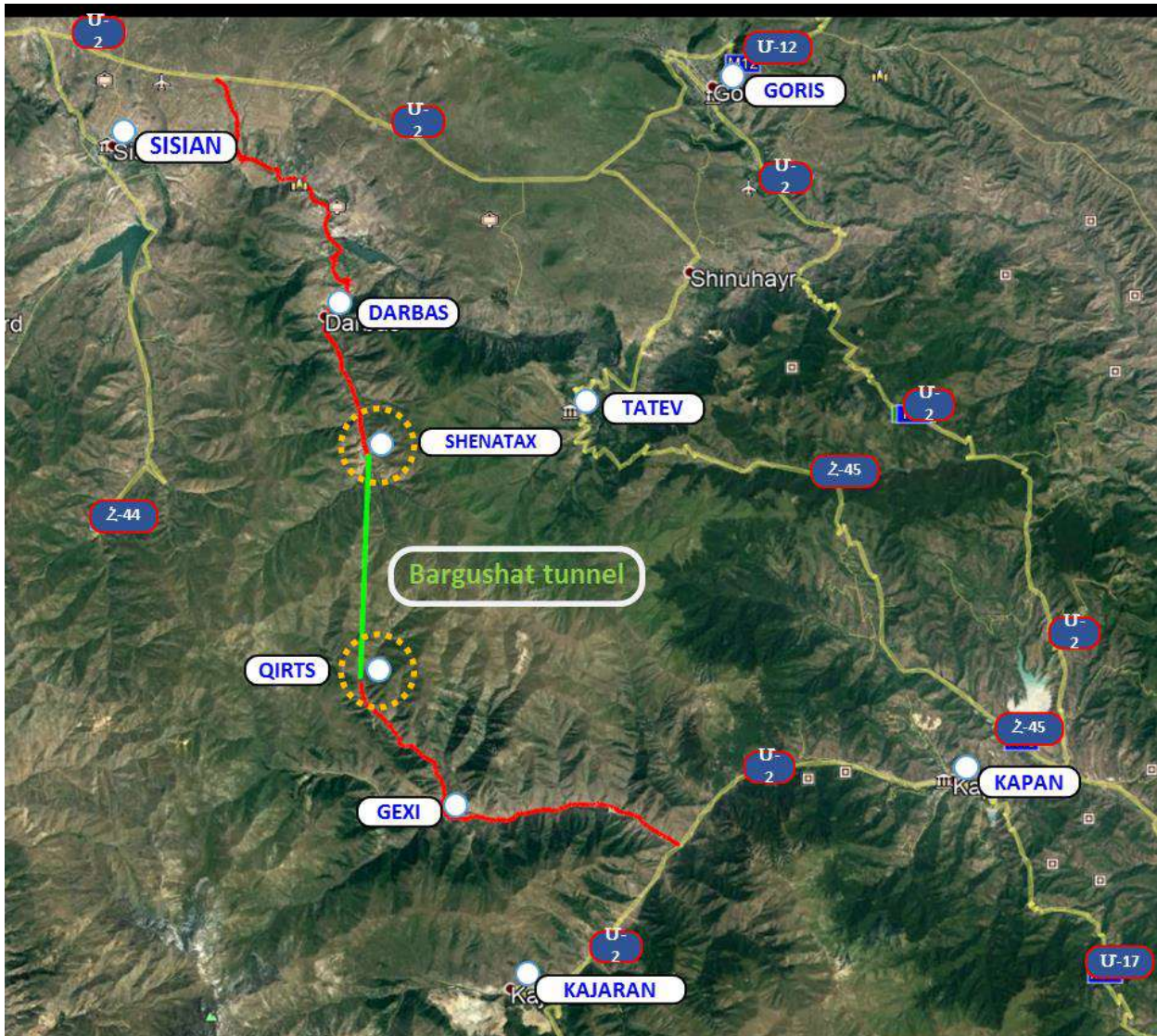
The Sisian-Kajaran section (Tranche 4) is one of six tranches of the Armenian part of the North-South Corridor and is located in the southern part of the country. The current interstate road connecting Sisian and Kajaran via Kapan and Goris is approximately 120 km long. Despite the maximum speed of 90 km/hour, the travel time takes about 3-4 hours due to difficult mountains terrain. The Project will involve i) construction of a new infrastructure, incl. 8.6 km long Bargushat tunnel and three bridges with total length of appx. 624 m, which would be connecting the villages of Shenatagh and Kitsk (Qirts) via a mountainous terrain and, subject to further due diligence (ii) rehabilitation of the existing local road sections Sisian-Shenatagh and Kajaran-Kitsk (Qirts).

The loans from the EBRD and the EIB (“the IFIs”) will co-finance the following components on the Sisian-Kajaran section of the North-South Road Corridor (“NSRC”, Tranche 4), jointly referred to as “the Project”:

- (1) construction of Bargushat tunnel (8.6 km) and three adjacent bridges (totalling 624 m) (“Tunnel Section”); and
- (2) rehabilitation, construction and upgrade of the Sisian-Shenatagh (30.2 km) and Kitsk (Qirts)-Kajaran (33.8 km) road sections (“Road Section”).

As this Project is a major expansion (almost Greenfield) Project that could result in potentially significant adverse future environmental and/or social impacts, the EBRD has categorised the Project as “A” in terms of its 2019 Environmental and Social (E&S) Policy, which means that a comprehensive Environmental and Social Impact Assessment (ESIA) and review of associated documents must be carried out, followed by their public disclosure for a minimum period of 120 days.

The Bank intends to engage a consultant (“the Consultant”) to carry out an Environmental and Social Impact Assessment of the Project (the “Assignment”).



Map showing project location

1.2 | AVAILABLE DOCUMENTATION

A detailed design study had been conducted in 2017 by the consortium SPEA-IRD for the “initial project” which consisted of the construction of the Bargushat tunnel and the three bridges, plus the construction of a new road, including a number of bridges and tunnels thereon. The project was expected to proceed on PPP basis. Due to cost constraints and lack of interest from private investors, the authorities decided to replace the construction of the new road (Technical Category II road with design speed of 100 km/h) by the rehabilitation of the existing local roads (mainly: Technical Category III roads). The detailed design study included an ESIA (dated 2017). A Land Acquisition and Resettlement Framework (LARF) (which is applicable for the whole North-South Road Corridor Investment Programme) is also in place. The detailed design and the ESIA received technical and environmental approval from the relevant Authorities (in March 2019 and March 2018, respectively).

For the “new project” (as described above), the technical and the E&S documentations have not been updated.

A technical Consultant will be hired to prepare the Feasibility Study (FS) of this new project. The ESIA Consultant is expected to work in parallel and in close coordination with the technical Consultant, since both studies (technical and environmental) will influence and inform each other. The ESIA shall reflect the results of the FS and be completed in parallel to the FS completion. If there is a need to update the ESIA during Detailed Design phase, this will be done separately (not in the scope of the present assignment).

A national ESIA will be prepared after detailed design by the Ministry of Territorial Administration and Infrastructure (MTAI) for permitting purposes. This national ESIA is not in the scope of the present assignment.

1.3 | APPLICABLE REQUIREMENTS

The ESIA will be conducted in line with the following requirements:

- National legislation as well as relevant EU substantive environmental standards, including (but not limited to) the pertinent requirements of the EIA Directive (as updated in 2014), Industrial Emissions Directive, and Birds and Habitat Directives. When host country regulations differ from EU substantive environmental standards, the Project will be expected to meet whichever is the more stringent;
- The EBRD’s Environmental and Social Policy (ESP) and Performance Requirements (PRs) 2019 with a particular emphasis on compliance with PR1, PR6 and PR8;
- Public consultation and stakeholder engagement will be tailored for the Project, be meaningful and will allow for disclosure of information and public participation in decision-making (in accordance with PR10);
- Disclosure of the ESIA in accordance with EBRD’s Access to Information Policy (2019);
- The Project shall include all reasonable measures to avoid, minimise, mitigate or compensate any adverse change in environmental and social conditions and impacts on public health and safety, especially with respect to any disproportionate impacts to vulnerable people who, as a result of their gender, age, ethnicity, disability, socio-economic status and/or other personal characteristics, may be disproportionately affected by the Project;
- Requirements of European Investment Bank (EIB) – EIB Environmental and Social Handbook¹, which is likely to be co-financing the project; and
- Relevant international conventions and protocols relating to environmental and social issues, as transposed into national legislation.

¹ https://ged.beilux.eib.org/ged/ged.dll/fetch/-108540/36197058/38724939/52878717/PJ_GUIDELINES_-_02-12-2013-environmental_and_social_practices_handbook_en.pdf?nodeid=50765763&vernum=-2

2 | OBJECTIVES OF THE ASSIGNMENT

The objective of the Assignment is to identify and assess any potentially significant future adverse environmental and social impacts associated with the proposed Project, determine the measures needed to prevent, minimise, mitigate and compensate adverse impacts, and identify potential environmental and social opportunities, including those that would improve the environmental and social sustainability of the Project. As part of this, the Consultant will work with the design team in order to inform Project design based on environmental and social issues. The Consultant will also identify and conduct any complimentary studies (e.g. climate change, human rights and gender) that may be required given the Project's context and environmental and social risks.

The assessment process will be commensurate with, and proportional to, the potential risks, aspects and impacts of the Project, and will cover, in an integrated manner, all relevant direct, indirect & cumulative environmental and social aspects and impacts of the Project, and the relevant stages of the Project cycle (e.g. pre-construction, construction, operation, and decommissioning or closure and reinstatement).

3 | SCOPE OF WORK

The Consultant will undertake the following work in accordance with the Applicable Requirements.

Considering the current road condition (almost a track in places), extent of works needed and size of the roads to be rehabilitated, it appears that the Project is similar to the construction of a greenfield road for most of the route. The potential environmental and social risks associated with the project include: (i) potentially significant impacts on biodiversity, (ii) impacts from the magnitude of the civil works and techniques used (blasting) in a mountainous context, (iii) the significant spoil disposal volume, and (iv) presence of more than 80 cultural heritage sites have been identified in the Project area. Physical resettlement is expected to be small; however, agricultural activities and infrastructure will be affected. Public consultations with local communities will be essential, including the preparation of a detailed Stakeholder Engagement Plan. The Southern section of the road (including the Southern tunnel portal) is mostly located in a preserved mountainous area, with high biodiversity and landscape value. The Zangezour State Sanctuary (IUCN Cat IV) is located in the project area.

The scope of the Assignment includes both road components, as well as associated facilities such as: access roads, temporary infrastructures, borrow pit, spoil disposal, etc.

The Assignment also includes the requirement to prepare the ESIA in compliance with the general principles as below and the environmental and social policies of the Lenders:

- Application of the mitigation hierarchy
- Identification and assessment of cumulative impacts in relation to other projects or programmes in the project area of influence
- Integration of Good International Practice.

This ESIA is conducted at an early phase of the project (since the Feasibility Study is developed in parallel); this is considered as an opportunity to influence the project design (e.g. avoidance of

sensitive biological, human or cultural heritage areas), to contribute to the analysis of alternatives (led by the technical Consultant) and to implement the mitigation hierarchy (avoidance first, before minimization, and then compensation). The Consultant is expected to be proactive on this aspect.

Prior to the ESIA, the Consultant will:

- Identify the ESIA focal points within the implementing agency (RD).
- Organise a capacity development session with national partners on ESIA, in order to build a common understanding on the approach and objectives. The beneficiaries of this session will be identified in the Inception Phase, in consultation with RD.
- Plan a briefing session in Brussels to meet with the Environment & Climate Change Mainstreaming Facility in relation to ESIA approach, objectives and context.

The Consultant will conduct the following tasks:

- Task 1: Review of available information (including the Detailed Design Study prepared in 2017). The Detailed Design Study will be provided to the Consultant upon contract award – or if requested by the Consultant during proposal preparation (subject to signing a confidentiality agreement).
- Task 2: Site visit and initial report. The Consultant will do an initial site visit, in order to meet with the Client, to familiarize with the project context by visiting project area of influence, and meet with key stakeholders (including an initial public consultation). The Consultant will issue an Inception Report after completion of the initial site visit (including a planning for the next phases of the Assignment).
- Task 3: Preparation of the ESIA report, including the detailed environmental and social field surveys. The ESIA report will include a project description, the legal context, an alternative analysis, an environmental and social baseline, an analysis of impacts including cumulative impacts, an environmental and social management plan, and a non-technical summary.
- Task 4: Preparation/update of the Land Acquisition and Livelihood Restoration Framework (LARF).
- Task 5: Preparation of a Biodiversity Action Plan (BAP);
- Task 6: Preparation of supporting documents: Project Stakeholder Engagement Plan (SEP), Environmental and Social Action Plan (ESAP), Non-Technical Summary (NTS).

Under Task 3 – Preparation of the ESIA report - two phases are considered. The Phase 1 is related to the collection of baseline data (including field surveys, documentation and regulatory review, preparation of ESIA consultation plan through the SEP, etc.) in order to understand the context and risks, and to provide sufficient environmental and social information to the FS Consultant in charge of conducting the Options Analysis (the number of options will be confirmed by the FS Consultant). The outcome of this Phase 1 will be the Optimisation Note. Once the Options Analysis is completed by the FS Consultant and the preferred option approved by the Ministry and the IFIs, the ESIA Consultant will proceed with Phase 2, which is the assessment of impacts of the preferred option and definition of mitigation measures. The outcome of Phase 2 will be the ESIA report (the Baseline section and the Analysis of Alternative section of the ESIA will be based on Phase 1 results).

Meaningful stakeholder engagement shall be conducted all along the Assignment (all Tasks).

3.1 | TASK 1 AND TASK 2: INCEPTION PHASE

During this phase, the Consultant shall identify key issues related to the Project which will be considered in the ESIA process. This inception phase will involve contact and consultation with representatives of the affected public, government agencies, local authorities and other organisations. The ESIA inception phase will start in parallel to the FS inception phase.

The Consultant will work with the Ministry and the IFIs to compile a brief description of the Project and associated facilities and/or activities. The Consultant will also gather information on alternatives considered by the FS Consultant.

The Consultant will identify and assess relevant regional and strategic environmental and social assessments or studies that might be of relevance to the Project or the Project area and include a summary of these as an annex to the Inception/Scoping Report.

The Consultant will identify potentially affected stakeholders and interested parties and consult with them in order to identify key issues to be addressed as part of the ESIA. Particular attention will be focused on identifying vulnerable people or groups who could be disproportionately affected by the project (including gender if relevant). A Stakeholder Engagement Plan (SEP) for the ESIA study will be developed which can serve as the basis upon which the Project SEP can be developed following the completion of the ESIA study. Stakeholders should have an opportunity to provide comments and recommendations on the draft SEP. The SEP for the ESIA phase will also include guidance on the public consultations and stakeholder engagement activities to be conducted by the Feasibility Study consultant as part of the Options Analysis work (meetings with local communities, civil societies, NGOs, government ministries, development partners, focus groups with women, etc.).

The Consultant will review available environmental and social baseline data (e.g. that already gathered by local governmental and possibly non-governmental organisations). Gaps will be identified between available baseline data and the need for recent and relevant data necessary to conduct an ESIA commensurate and proportional to the potential impacts and issues of the Project. The Consultant will identify actions to fill these baseline data gaps including any further environmental or social baseline studies that would be required (e.g. intrusive investigations for soil contamination, biodiversity studies, water quality baseline studies, socio-demographic studies, studies of land-tenure, livelihoods & economic strategies, cultural heritage or archaeological studies, etc.).

The Consultant will identify the potential environmental and social impacts associated with the Project and through means of a screening/scoping process determine which are the main impacts to be assessed as part of the ESIA process.

The Consultant will prepare a brief Inception Report summarising the following:

- A brief description of the Project, its scope, alternatives considered and justification;
- Recommendations related to Project design (if relevant at that stage);

- Applicable national legislation and international standards;
- An overview of the environmental and social baseline include studies to be undertaken to inform the ESIA.
- Main potential environmental and social impacts to be studied as well as a justification for those impacts screened out during the scoping process;
- Red flags and potential show stoppers (if any);
- The results of inception/scoping stage stakeholder engagement;
- A summary of key stakeholders and a description of the envisaged stakeholder engagement process for the ESIA accompanied by a standalone Stakeholder Engagement Plan (SEP) specific to the ESIA process which can be included in an annex;
- The ESIA work programme including: environmental and social baseline studies, impact modelling and assessment, Environmental and Social Management Plan (ESMP) framework; and
- A timeline for completion of the ESIA.

3.2 | TASK 3: ESIA STUDY

The Consultant will carry out the ESIA study including all of the elements identified in this section. The key objectives of an ESIA include (but are not limited to) the following:

- to identify relevant national environmental, health and safety laws and regulations, and European Union environmental and social standards, taking into consideration any international conventions applicable to the Project, and review how they will be met within the framework of the proposed investment programme;
- to describe the project and its associated facilities and activities and identify and assess alternative options to the proposed Project;
- to assess the current environmental and social status (baseline) of the planned Project area and its surroundings, including environmental and social issues associated with any previous use of the areas planned to be occupied by the Project;
- to identify, assess and quantify the potential environmental and social impacts (both positive and negative) associated with the Project, and the associated risk of accidents;
- to determine the significance of environmental issues in relation to trans-boundary impacts, in accordance with the Convention on ESIA in a Transboundary Context (Espoo Convention);
- to assist the Ministry and EBRD in the structuring of the Project so that national environmental, health and safety laws and regulations, EIB's Environmental and Social standards, European Union environmental and social standards and EBRD PRs will be met;
- to develop an Environmental and Social Management Plan (ESMP), or series of topic specific plans, aimed at preventing and mitigating potential adverse environmental & social impacts during the life of the Project, at providing environmental benefits and improving environmental quality, at improving information flow with the community as well as at establishing an environmental monitoring and management regime and emergency response plans; and
- to advise and assist the Ministry and EBRD in conducting a public consultation process in accordance with national requirements and the EBRD disclosure requirements.

[Annex 1](#) provides an indicative structure for the ESIA.

3.2.1 | Project Description

Based on the FS, the Consultant will prepare a description of the Project to be included in the ESIA report. The Project description will include information on: the Project area of influence and specific location(s) at which Project activities will take place; Project design, size, lifespan; and other relevant features of the Project as well as associated facilities and activities. Maps will be included as relevant in order to illustrate the geographic location of the project and its key components.

3.2.2 | Analysis of Reasonable Alternatives

The ESIA will include an analysis of technically and financially feasible alternatives, including non-Project alternatives. The ESIA will also provide a justification for the option chosen taking into account this option's environmental and social effects. This section will also use the Options Analysis conducted in the FS.

3.2.3 | Analysis of Applicable Requirements

The Consultant will identify applicable local, regional and national environmental and social laws and regulatory requirements of the jurisdictions in which the Project operates, including those laws implementing host country obligations under international law. The Consultant will analyse local/national assessment and permitting requirements as well as applicable environmental and social requirements and compare them within a gap analysis in tabular format. Based on this analysis, the Consultant will define the project standards noting that the EBRD requires that the Project meet the most stringent standard. The EBRD's Performance Requirements also require that EU substantive environmental standards apply to the project (e.g. the Industrial Emissions Directive & associated BREF documents). This selection should include quantitative limits. The consultant will include a description of the status of permitting requirements for the project.

The consultant will also comment on whether the national environmental permitting process aligns with the EU EIA directive.

As required, the Consultant will identify any issues that require legal interpretations for the Bank to raise with its legal advisors. The Consultant is not required to provide legal opinions.

The Consultant will identify, review and take into consideration any relevant strategic level assessment documentation.

The Consultant will review the legal and policy framework related to EIA (such as RA Law on Environmental Impact Assessment from 2014, and other relevant legal acts).

3.2.4 | Baseline Conditions

The ESIA will include a comprehensive description of the current state and likely evolution (in the absence of the Project) of the physical, biological and socio-economic environments present in the Project impact area. The environmental and social baseline for the ESIA will be based on recent data and will consist of a combination of already gathered and available studies through local governmental and possibly non-governmental organisations as well as additional field studies as required. Where available data is insufficient, the Consultant will be required to carry out further studies as defined during the ESIA Scoping/Inception stage (Section 3.1). The Consultant should also consider how baseline data can contribute at a later phase to the development of construction and operational E&S management plans (e.g. those linked to involuntary resettlement and biodiversity management) and plan baseline data gathering accordingly.

Consistent with requirements of the EU Habitats Directive² and Birds Directive³, the assessment will also identify any nature protection areas that could be affected by the Project. This will include protected areas in the Natura 2000 network as well Emerald sites and other sites such as Key Biodiversity Areas and Important Bird Areas.

The baseline assessment will include consideration of the inter-relationship between the relevant factors, as well as the exposure, vulnerability and resilience of these factors to natural disaster risks and climate change.

The Consultant is expected to conduct baseline field work in relation to:

- biodiversity (fauna, flora, ecosystem services), covering seasonal variation, and covering as a minimum for fauna (more precise list to be developed after Tasks 1 and 2); birds, mammals (including bats), amphibians and reptiles;
- cultural heritage (including significance of the cultural heritage sites identified in 2016);
- noise;
- air quality and water quality;
- social survey.

The scope of these field surveys will be defined during Task 1 and Task 2 and will build on the 2016 field surveys conducted for the Detailed Design study (2017).

On the social side, the baseline data collection shall include gender disaggregated data.

For the baseline survey, the definition of the study area will be based on the assumption that the works will be located in proximity to the existing alignment for the road works, and located as per the Tunnel Detailed Design for the tunnel works.

² Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora

³ Council Directive 2009/147/EC on the conservation of wild birds

At the end of the field surveys, the Consultant will prepare an Optimisation Note on the alternatives on an E&S angle (in order to inform the FS (and more specifically the Option Analysis) and to contribute to the optimisation of the selection of the project alternative).

3.2.5 | Assessment of Impacts

In accordance with the Bank's ESP (2014), the Consultant will assess the potential environmental and social impacts and risks of the Project across its lifecycle (preconstruction, construction, operations, decommissioning/closure, reinstatement), as well as opportunities that the Project may provide, including but not limited to: infrastructure development as well as direct, indirect and induced economic benefits. Included in the impact assessment scope will be any associated facilities.

The E&S Assessment will include an analysis of the likely impacts of the proposed Project and associated facilities on the physical, biological and socio-economic environment to provide an identification and detailed characterisation of potential adverse and beneficial E&S impacts. This will include an identification of impacts that could be experienced disproportionately by vulnerable groups. The assessment will include potential E&S impacts (prior to the application of mitigation measures) and residual impacts. Maps shall be prepared wherever needed to properly characterise impacts, especially those with a significant spatial dimension.

Impacts on the different components of the physical, biological and socioeconomic environments will be assessed using good practice ESIA techniques (e.g. modelling, risk assessment, professional judgement, etc.) and through consistent and transparent application of a Consultant-defined impact assessment methodology which would consider, amongst others if applicable:

- Nature of impact (positive or negative);
- Type of impact (direct or indirect);
- Magnitude of impact;
- Impact likelihood;
- Duration and extent of the impact;
- Reversibility of the impact;
- Sensitivity, importance and vulnerability of the resource or receptor; and
- Defined quantitative limits (e.g. emission limits and air quality standards), etc.

The Consultant should present in the ESIA report a significance rating for each residual impact (without and with application of mitigation measures).

The impact study will also identify potential improvement opportunities and define technically and financially feasible measures to avoid, or where avoidance is not possible, minimise, mitigate or compensate adverse impacts (as per the Mitigation Hierarchy). Measures to enhance Project benefits will also be identified. Consistent with the EU Industrial Emissions Directive⁴, proposed technical measures to limit impacts to the physical environment including air, water and soil will be in line with Best Available Techniques (BAT) for the sector.

⁴ Article 15(2)

Where affected individuals or groups are identified as disadvantaged or vulnerable during the appraisal process, the study will include differentiated measures so that adverse impacts do not fall disproportionately on them and they are able to take advantage of opportunities to benefit from the Project. This can include disaggregated impacts and risks on men and women, as well as impact in terms of enhancing women's access to services, employment and entrepreneurship (identification of gender components, if relevant).

Finally, the impact assessment will present the residual impacts subsequent to the application of mitigation and enhancement measures.

The impact assessment shall include modelling in relation to prediction of air quality, noise and vibration.

It shall also include considerations and recommendations with regards to community safety (road safety).

3.2.6 | Environmental and Social Management Plan

The Consultant will describe the avoidance, minimisation, mitigation, compensation and monitoring measures aimed at improving the Project and avoiding and reducing its E&S impacts in an Environmental and Social Management Plan (ESMP). The ESMP will ensure that all relevant stages of the Project are structured to meet applicable laws and regulatory requirements and the PRs and should include:

- A high-level description of the Environmental and Social Management System including operational policies, management plans, management systems, programmes, procedures, practices and capital investments to be developed and deployed as part of the overall impact mitigation strategy;
- The resources necessary to ensure its effective implementation and define the roles and responsibilities for the actions/mitigation measures contained therein as well as for regular update of the ESMP;
- Management of supply chains and responsibilities of third parties including Contractor Environmental and Social Management Plans (or site-specific plans) to be developed by the Contractor and approved by the Company;
- Training or capacity-building required to ensure that personnel tasked with implementing the ESMP have the necessary awareness and skills to execute these functions effectively;
- Performance indicators linked to significant environmental and social impacts as well as relevant elements of the EBRD PRs;
- A monitoring plan aimed at tracking actions specified in the ESMP as well as any regulatory monitoring and reporting requirements;
- Emergency procedures and management plans to address fire and explosion safety as well as pollution control and containment for potential incidents (e.g. emergency response plans, fire extinguishing measures, and alarm and communication systems);
- A procedure for the management of change.

The level of detail and complexity of the ESMP will be commensurate with the Project's impacts and issues addressing risks, impacts and opportunities specific to the Project. The ESMP will

define desired outcomes as measurable events to the extent possible with elements such as targets and performance indicators that can be tracked over defined time periods.

The ESMP will be composed of two documents; an ESMP for the Construction Phase and an ESMP for the Operation Phase. Both ESMPs (including cost estimate) will be shared by the Ministry with the Detailed Design consultant (after the Feasibility Study is completed), to ensure that the mitigation measures identified during the ESIA process are integrated to the next project phase. The ESMP for the Construction Phase will be included to the Tender documents by the Client (for selection of the Construction Contractor) and shall therefore be built as such. Depending on the Construction Procurement strategy (one lot or several lots), the Construction ESMP might need to be divided into several lots.

The ESMP will provide guidance for the Construction Contractor to develop further specific-ESMPs (such as Waste Management Plan, Spoil Management Plan, Worker Accommodation Management Plan, etc.). The preparation of these specific ESMPs is not included to this Assignment.

The consultant should ensure the ESIA recommendation are meaningfully discussed with all key stakeholders and action points are decided (what, who, when, how).

3.3 | TASK 4: PREPARATION OF THE LAND ACQUISITION AND LIVELIHOOD RESTORATION FRAMEWORK

The Consultant is expected to review and update the Land Acquisition and Resettlement Framework (LARF) for Sisian-Kajaran Road Project on behalf of EBRD and the Government of Armenia (GoA). To this end, the Consultant will:

- Assess the scale and significance of land acquisition and physical/economic displacement and its impact on affected party livelihoods;
- Identify (re-confirm) affected people likely to experience involuntary resettlement impacts (i.e. physical and economic displacement) and all assets that may need to be compensated in accordance with the national legislation and EBRD ESP 2019: Performance Requirement 5 (PR5);
- Update the legal review and gap analysis in the previous LARF to define key differences between the national laws and ESP 2019: PR5 requirements – and how these differences will be addressed. Based on the results of the gaps analysis, the key policy principles and requirements that will be applicable for the Project will be established;
- Update the entitlement matrix – specifically, define affected person’s entitlements and eligibility, and describe all assistance measures (in a matrix by category), including relocation of housing/settlements, different measures for identified vulnerable groups, and legal arrangements to regularize tenure.

The Consultant will undertake consultations with the affected parties to gather feedback from the affected communities, local institutions, and other stakeholders, as necessary. The minutes of all meetings need to be attached to the LARF as annexes.

The updated LARF should include: (a) scope/significance of anticipate land acquisition and resettlement impacts (b) policy analysis and description of gaps; (c) entitlement and compensation framework; (d) results of consultation meetings held so far and PR5 requirements for meaningful consultations and disclosure; (e) key requirements for monitoring, reporting and grievance management; (e) roles, responsibilities, and commitments of the client, local governments, and other project implementation partners to follow LARF and ESP 2019: PR5.

Key deliverables under the assignment will include: (a) updated LARF agreed with the client and EBRD; and (b) detailed scope for the preparation of a Resettlement Plan.

3.4 | TASK 5: PREPARATION OF A BIODIVERSITY ACTION PLAN

The Consultant shall complete a Critical Habitat / Priority Biodiversity Features screening to help identify whether (i) habitats and or species of conservation importance could be impacted by the Project and (ii) additional baseline surveys are warranted (pre-construction surveys).

Based on the findings of the Critical Habitat Assessment, the Consultant will prepare a Biodiversity Action Plan in accordance with EBRD PR6 (2019).

3.5 | TASK 6: PREPARATION OF SUPPORTING DOCUMENTS

The Consultant will prepare supporting documents that include: Project Stakeholder Engagement Plan (SEP), Environmental and Social Action Plan (ESAP), Non-Technical Summary (NTS).

3.5.1 | Project Stakeholder Engagement (SEP)

The EBRD attaches particular importance to public consultation in its pre-investment activities. The ESIA process will include information disclosure and meaningful engagement with affected groups and interested parties throughout the ESIA process starting with the inception/scoping phase in conformance with the EBRD's PR1, PR10 and national law. The study will take specific measures to ensure the participation of women and potentially vulnerable stakeholder groups in the consultation regarding the Project. Depending on the Project context, this could include specific consultation activities to allow direct engagement with these groups. Guidance on public consultation and disclosure is provided under [Annex 2](#).

The Consultant will prepare a draft Stakeholder Engagement Plan ("SEP") including a grievance mechanism in compliance with PR10 and the specific requirements for Category A Projects. The scope and level of detail of the SEP will be scaled to fit the needs of the Project and the objectives of EBRD PR10. The Project SEP will build on the SEP developed for the ESIA process and be updated to include the results of stakeholder identification and engagement conducted during the ESIA. The Consultant will propose a format best suited for the specific Project needs. Guidance for the contents of an SEP is provided in [Annex 3](#).

3.5.2 | Non-Technical Summary (NTS)

The Consultant will prepare, in consultation with the Company, a concise, over-arching, standalone NTS that summarises the ESIA documents. The NTS will be in clear language comprehensible to the general public. The NTS will be translated in local language.

An indicative list of issues to be included in the NTS is provided in [Annex 4](#).

3.5.3 | Environmental and Social Action Plan (ESAP)

The Consultant shall develop a comprehensive ESAP to address issues identified during the ESIA preparation. The ESAP will focus on those issues that are required to bring the operations into compliance with the EBRD's requirements and will be presented and sequenced by PRs. Actions identified must be numbered, clearly defined, indicate a time frame for completion (with specific reference to those actions that must be completed before financial close if appropriate) and a responsible party specified (the Client, the Contractor, etc.). Further, each item must contain a description of the factors that will be used to determine when the identified action is closed/completed. The Consultant will also inform the Client about any material budget implications of ESAP items (although this information may not be required in the public domain).

The ESAP will be compact and, if needed, details will be included in sub-plans referenced in the main ESAP. The ESAP will include requirements for Stakeholder Engagement and grievance mechanism.

The ESAP will be implemented by the Client.

The required format the ESAP is given in [Annex 5](#).

3.6 | PUBLIC DISCLOSURE

Category A Projects require disclosure of the ESIA and other relevant E&S documentation for a minimum of 120 days. The Consultant will prepare an Environmental and Social disclosure package including the ESIA, NTS, SEP and other documentation as required in both English and local language(s) and provide this to the client for approval and the EBRD for an evaluation of fitness for disclosure.

The Consultant will support the ESIA disclosure process including notification of stakeholders and will attend public meetings together with the client. Following the ESIA disclosure period, the Consultant will summarise disclosure activities as well as feedback received from the public and update the E&S disclosure package to take account of this feedback. The Consultant will provide the amended ESIA and associated documents to the client for final approval as well as to the EBRD.

4 | IMPLEMENTATION ARRANGEMENTS

The Consultant will report on all aspects of the Assignment to the Bank's Operation Leader and the Bank's Environmental and Sustainability Department representative based at EBRD

headquarters in London, The Consultant will liaise with the Client, the EIB and the technical Consultant as appropriate.

The Client will provide the Consultant with access to, or copies of all, relevant information (all or most in English or Armenian languages).

5 | DELIVERABLES

The Consultant will submit the following deliverables in English to the Company (tentative planning):

1. Monthly progress reports summarising the progress of the assignment against the given time schedule and deliverables.
2. Detailed records of the public consultation meetings (and materials to be used for public meetings).
3. Inception/Scoping Report and participation in scoping stage public consultation (including the ESIA SEP): within 2 weeks after completion of the Inception site visit
4. Draft Land Acquisition and Resettlement Framework (LARF) - within 12 weeks of the Assignment Start Date
5. An Optimisation Note (to inform the Options Analysis of the Feasibility Study) - within 18 weeks of the Assignment Start Date
6. Draft Stakeholder Engagement Plan (SEP) (see [Annex 3](#)) – within 25 weeks of the Assignment Start Date
7. Draft Environmental and Social Management Plan– within 30 weeks of the Assignment Start Date
8. Draft Environmental and Social Impact Assessment (see [Annex 1](#)) – within 32 weeks of the Assignment Start Date
9. Draft stand-alone Non-Technical Summary (NTS) for disclosure to the public (see [Annex 4](#)) – within 32 weeks of the Assignment Start Date
10. Draft stand-alone Environmental and Social Action Plan (ESAP) (see [Annex 5](#)) - within 36 weeks of the Assignment Start Date
11. Final documentation - within 2 weeks of receiving the Bank’s comments on the draft versions. The final versions of the Disclosure Package (NTS, SEP, ESIA, ESAP, LARF, BAP) will be translated into local language (Armenian).
12. Amendment to Final Documentation (if comments received from public for the Disclosure Package): within 3 weeks of the end of 120 days disclosure period

All final documents and reports prepared for this contract will be prepared in English and local language (as above), and delivered in Word and PDF versions.

The overall planning for deliverables submission will depend on the progress of the technical studies and will have to be adapted accordingly, in concertation between the Bank and the ESIA Consultant. For information, the tentative Feasibility Study schedule is as per below:

1. **Inception Report** containing Traffic Study and Initial Cost Estimates – after 5 weeks from the start of the assignment;
2. **Interim Draft Report** containing General Design of the Road Section, Options Analysis, Public Consultations, Legal / Regulatory Review and Identification of the Preferred Option– after 22 weeks from the start of the assignment;
3. **Draft Report** containing Cost Benefit Analysis and Feasibility Study Compilation and Climate Adaptation Review of the Detailed Design of the Tunnel Section – after 26 weeks from the start of the assignment;
4. **Final Report** – after 30 weeks from the start of the assignment.

6 | PROPOSAL AND KEY EXPERTS

The Consultant’s technical proposal shall be prepared in accordance with the standard templates and instructions in the Procurement Notice including:

- A general statement of the Consultant’s capabilities (3 pages);
- Experience in the host country or in the region;
- Preparation of ESIA, BAP and LARF in accordance with the Applicable Requirements;
- Experience in the road sector or other linear infrastructures;
- The proposed team, with CVs (preferably 2-3 pages maximum per individual) and respective levels of efforts of all relevant experts presented in tabular form in man-days (both in the field and elsewhere) for each phase of the services;
- The Consultant’s methodology and approach to the Assignment (preferably 10 pages maximum);
- A timeframe presenting the E&S Assessment milestones in graphical form.

ANNEX 1

SAMPLE ESIA FORMAT

Note: The following is an indicative format and potential content of an ESIA study. The Consultant is expected to use its professional judgement to determine what issues (either listed below or additional) are relevant to the Project. Issues which are not relevant to this Project should be covered by a short statement that they have been considered but do not apply in this case.

Executive Summary

A concise summary description of the Project, its rationale, the existing operations and overall setting, significant environmental and social impacts. The Executive Summary will also include all mitigation and enhancement measures, monitoring proposals, and document the Company's commitment to implementing these.

1 | Project Description

Precise description of the Project within its geographical, environmental and socio-economic context. This should include information on whether and how the Project is part of a wider development plan/programme. A systematic comparison of feasible alternatives to the Project in terms of location, Project technology or design in terms of potential environmental and social impacts. This should include the 'do-nothing' option. The Project description should include but is not limited to information on:

- The Project footprint and land acquisition needs for the Project;
- Layout of the different facilities, with a particular focus on waste and fuel storage, and any components that may generate emissions, noise, vibrations or spill risks;
- Process flow chart;
- Detailed description of technologies involved in the successive steps of the process;
- Vehicular traffic associated with the plant during construction and operations;
- Workforce requirements during construction and operations phase;
- Identification of all process liquid and gaseous effluents and emissions, with flows and bio-chemical characteristics in normal operating conditions;
- BAT assessment of the proposed operations, as defined by the Industrial Emissions Directive (if relevant); and
- Identification of potential emergency situations, with related characteristics of effluents and emissions.

2 | Legal Requirements

Outline of the policy, legal and administrative context of the ESIA summarising relevant national legislation as well as the environmental and social and requirements of the EBRD, co-financiers and applicable regional/global conventions or agreements. The timeframe for public consultation, Project appraisal and implementation should be outlined.

3 | Baseline Conditions

A description of relevant aspects of the physical and natural environment and socio-economic conditions in areas affected by the existing operations and the Project to include, inter alia:

- Air emissions and noise;
- Biological and ecological resources (fauna, flora, biodiversity, protected species, critical habitats, ecosystems);
- Biological environmental trends including loss of habitat; invasive alien species; overexploitation; nutrient loading and pollution; and topics relevant to climate change adaptation.
- Climatic factors and climate change (e.g. greenhouse gas emissions, including from land use, land use change & forestry, sectors of population more affected by climate change);
- Cultural heritage, including tangible and intangible cultural heritage as well as archaeological heritage;
- Geomorphology and geology;
- Health & safety (public and worker) & healthcare infrastructure;
- Land (past and current use, legacy land acquisition issues);
- Landscape and visual aspects;
- Material assets;
- Socio-economic status and livelihoods of the population (disaggregated by gender, age, ethnicity, and other social characteristics);
- Soil (organic matter, erosion, compaction, sealing);
- Stakeholder engagement practices
- Vulnerable groups;
- Water (infrastructure & accessibility, quantity and quality, surface and groundwater) and waste water management;
- Traffic and transportation infrastructure (public and site); and
 - Worker and public health and safety.

4 | Stakeholder Consultation

Details of the stakeholder engagement programme as part of the ESIA and results of engagement including:

- Analysis of key stakeholder groups potentially affected by the Project and other interested parties;
- Detail on the specific stakeholder engagement activities carried out with these stakeholder groups throughout the study including figures on participation in these activities;
- Details and analysis of the specific concerns, questions and opportunities for improvement of the Project raised by stakeholders throughout the process of engagement; and
- Details on retroaction to consulted stakeholders in relation to Project impacts and mitigation measures.

5 | Potential Impacts

Identification of the potential environmental and social impacts that could be associated with the existing operations and the Project, including those of an indirect and cumulative nature. Impacts which are unlikely to arise or be insignificant should be recorded, together with the rationale for why they are considered to be unlikely or insignificant. Potential impacts must be considered at the following levels: Local, National and Regional/Global impacts.

6 | Characterisation of Impacts and Opportunities

Identification and characterisation of positive and negative environmental and social impacts (direct, indirect & cumulative) in terms of the magnitude, likelihood, duration, extent, reversibility of the impact and the sensitivity of the resource or receptor.

Quantitative data must be employed to the greatest extent possible. The chapter should also identify opportunities for environmental and social enhancement and identify key uncertainties and data gaps. Both the existing operations and the following Project stages must be considered in this evaluation where appropriate:

- Pre-construction and construction phase
- Operation and maintenance
- Closure and decommissioning
- Residual environmental and social impacts

7 | Management of Impacts and Issues

An outline of the feasible cost-effective measures to avoid, minimise, mitigate or compensate for environmental and social impacts to acceptable levels and address other environmental and social issues. Additionally, an outline of any measures that would enhance environmental and social aspects within the area affected by the Project and the existing operations and characterisation of the nature of any residual environmental and social impacts or issues that have not been addressed. A description of the financial provisions for potential risks (for example escrow accounts and insurance cover to provide for *inter alia* abandonment and decommissioning, site remediation and oil spills and other emergencies). The following Project stages must be considered where appropriate:

- Pre-construction and construction phase
- Operation and maintenance
- Closure and decommissioning
- Residual environmental and social impacts

8 | Monitoring and Supervision

A description of how environmental and social impacts and issues will be monitored and managed in practice; including an indication of how the Project will be supervised by lenders and governmental agencies. Estimates should be provided for capital expenditure and operation and maintenance costs where possible. The following stages must be considered where appropriate:

- Pre-construction and construction phase
- Operation and maintenance

- Closure and decommissioning
- Residual environmental and social impacts

9 | Environmental and Social Management Plan

A record of all measures required to address environmental and social impacts and issues as well as monitoring and supervisory activities associated with these should be consolidated in tabular form. This should also indicate institutional responsibilities, timeframes and associated costs.

Appendices

- Names of those responsible for preparing the E&S Assessment
- References and sources of information
- Records of public meetings and consultations held
- Supporting technical data

ANNEX 2

GUIDANCE ON PUBLIC CONSULTATION AND DISCLOSURE

The Consultant will be required to carry out ongoing consultation with the public throughout the ESIA process in accordance with EBRD PR10 and the requirements of EBRD's Environmental and Public Information Policy. This public consultation process will also need to take account of any other relevant requirements (e.g. the country EIA procedure and the Convention on ESIA in the Transboundary Context – “Espoo Convention”) and Aarhus Convention.

Public engagement is a critical part of the ESIA process and more generally of the Project preparation process, which must be carefully planned and implemented. Public meetings are usually part of the engagement process, but in this case they are not necessarily the most useful channel for engagement at all stages and other methods such as workshops with groups of stakeholders (for example administrative authorities, representatives of local residents, local civil society organisations, or business decision makers) may need to be used.

It is essential that any public consultation activities to be undertaken to meet EBRD's requirements be as consistent as possible with national requirements so that the two public consultation processes envisioned by EBRD and national requirements be integrated into one general public consultation process.

EBRD PR10 requires public consultation at the scoping stage a formalised participatory process during the ESIA and an ESIA public disclosure period.

At scoping stage:

- on the Project itself and potential alternatives;
- on the proposed scope for the ESIA; and
- on the proposed Stakeholder Engagement Plan and programme;

During the conduct of the ESIA study:

- on the purpose, nature, scale and duration of Project activities;
- on risks to and potential impacts on stakeholders as well as proposed mitigation plans;
- on the envisaged stakeholder engagement process;
- on the time and venues for planned consultation meetings;
- on the process by which meetings will be notified, summarised and reported;

Once a draft ESIA is available:

- on the impact assessment; and
- on proposed environmental and social impact management measures.

Scoping stage:

The objective of this stage of public consultation is to obtain initial feedback on the Project including its potential impacts and inform the scoping of the ESIA study. Specific activities could include:

- Public disclosure of Project presentation documents, on the Internet as well as in local information points;
- Scoping workshops to present the Project at conceptual stage to selected stakeholders, potentially including local administrative authorities, selected representatives of local residents, NGOs, local mass media;
- All workshops to be documented (minutes of meetings);
- Preparation of a short report summarising the inputs; and
- Inputs from scoping meetings to be taken into consideration in the final Terms of Reference for the ESIA.

The scoping stage consultation process will be supported by a scoping leaflet (one page A4) describing in summary terms the Project and the ESIA process, intended for the general public, and including:

- A summary Project description and potential alternatives;
- A summary description of the ESIA process, and of the preliminary identified at the scoping stage;
- A summary description of the engagement process and of the grievance mechanism, with relevant contact details for further information and for grievances.

ESIA Stage:

Consultation during the ESIA stage should be scaled to the Project's context and impacts. The objectives of this consultation are to inform affected stakeholders and interested parties of the Project, its potential impacts and give them an opportunity to raise their related concerns and receive responses. Effective consultation should also inform the assessment of impacts and identification of mitigation measures. Specific activities can include but aren't limited to:

- Communication of Project related information through a variety of channels (e.g. newspaper, radio, public notice board, internet, etc.);
- Public meetings to present Project information and allow for stakeholder feedback;
- Engagement through electronic media including radio and internet; and
- Smaller focus group meetings or working groups with specific stakeholder groups or around specific Project impacts.

Ideally an ESIA should be a participative process whereby concerned stakeholders are actively involved in the identification, assessment and definition of mitigation strategies for impacts that concern them. Such a process promotes shared understanding and greater consensus around an approach to Project development.

Draft ESIA stage:

Once the draft ESIA has been prepared and accepted by EBRD, it must be disclosed to the general public through a variety of mechanisms in order to inform the public on the Project, its potential environmental and social impacts and proposed measures to manage these impacts. Public disclosure must also provide a means for the public to raise any comments, concerns or questions. Specific activities include:

- Public disclosure of the draft ESIA, on the Internet as well as in local information points for a minimum of 60 or 120 days (60 days for private sector and 120 days for public sector Projects); and
- Public meetings in the neighbouring settlements (location to be determined) to present the results of the draft ESIA.

All meetings and disclosure activities should be documented (minutes of meetings) in a summary report on public input. This input should also be taken into consideration in the final version of the ESIA.

The Consultant shall assist the Company during the final phase of public consultation, which shall be carried out in conformance with the Stakeholder Engagement Plan.

ANNEX 3

GUIDANCE FOR A STAKEHOLDER ENGAGEMENT PLAN

The following is an indicative list of issues for possible inclusion in a Stakeholder Engagement Plan. The Consultant is expected to use its professional judgement to determine what issues (either listed below or additional) are relevant to the Project.

A Stakeholder Engagement Plan will need to:

- Briefly identify the Project location and areas subject to impact (e.g., list of communities).
- Record what the Project is legally required to do regarding disclosure and consultation (to meet the requirements of National Law, EBRD and other financier E&S requirements as well any other standards or corporate frameworks to which the Project must comply).
- Identify affected stakeholders and assess the types and degree of Project impacts they will likely experience as well as other interested parties and summarise this analysis in a stakeholder map (if relevant).
- Identify any specific groups who might be considered vulnerable or need more support in the consultation process (e.g. because of their level of literacy, gender, socio-economic status, ethnicity/language, or location). This should include an analysis of pre-existing vulnerability (i.e. independent of the Project) and Project-induced vulnerability (groups acutely susceptible to Project impacts). For each identified group, specify how meaningful consultation will be undertaken.
- Report on any previous consultation and disclosure activities.
- Define which documents will be publically disclosed, including a schedule, and in what language(s).
- Define where documents will be available (physical and online addresses), e.g. provide names of specific newspapers, bulletin board locations, etc..
- Define how people will be notified of the document availability.
- Outline future consultation activities with affected stakeholders, vulnerable groups and interested parties including the consultation format and topics to be address.
- If locations/dates are not yet known, state how people will be informed of the dates
- State who/where should comments be sent to, what will happen to them and how people will be advised of the outcomes.
- Define how grievances will be handled (including a specific public grievance process).
- Define the monitoring and reporting activities for the stakeholder engagement process.
- Define the responsibilities for implementing the SEP and the process for and frequency of SEP updates.

Please also see guidance note:

<http://www.ebrd.com/downloads/about/sustainability/grievance-mechanism.pdf>

ANNEX 4

LIST OF INDICATIVE ISSUES FOR A NON-TECHNICAL SUMMARY

The following is a list of indicative issues for possible inclusion in a Non-Technical Summary. The Consultant is expected to use its professional judgement to determine what issues (either listed below or additional) are relevant to the Project.

Non-Technical Executive Summary

1 | Project Description

- A concise and comprehensive description of the Project
- Proposed construction works and subsequent maintenance/operation
- Scheme map, where available

2 | Background

- Rationale of the Project
- Legal aspects and compliance with relevant environmental and social laws
- Current environmental and social situation and considerations
- History of the Project development and planning; including an outline of the main alternatives that were studied, their environmental and social impacts, and the reasons for making the final selection

3 | Process

- ESIA process carried out and integration with design
- A statement of the Project's current state of compliance with national regulatory requirements and relevant EU requirements
- Public consultations and disclosure and dealing with objections

4 | Summary of Environmental Benefits, Potential Adverse Impacts, Mitigation and Management Measures

- Air quality
- Associated infrastructure
- Biodiversity and nature conservation
- Consistency with policy, law and other plans
- Cumulative impacts
- Induced (indirectly consequential) impacts
- Landscape and visual impacts
- Raw material sourcing and transportation, including borrow pits
- Road safety
- Traffic, noise and vibration
- Waste management
- Water resources

5 | Summary of Social Benefits Potential Adverse Impacts, Mitigation and Management Measures

- Community investments to be made by the Project

- Contractor management, including the siting and management of worker camps
- Cultural heritage
- Disruption and public health and safety during construction
- Employment and contracting
- Impacts to existing infrastructure and public services
- Labour issues and standards
- Land acquisition and resettlement (cross reference any resettlement report that is being developed)
- Livelihoods impacts
- Local traffic and access impacts
- Occupational and public health and safety issues
- Project induced population influx
- Socio-economic impacts; including vulnerable groups (taking into account gender specificities and needs)

7 Communications

- Contact details
- Process for addressing any issues arising
- Link to Stakeholder Engagement Plan (or similar)

ANNEX 5

ENVIRONMENTAL AND SOCIAL ACTION PLAN TEMPLATE

No.	Action	Environmental & Social Risks (Liability/Benefits)	Requirement (Legislative, EBRD PR, Best Practice)	Resources, Investment Needs, Responsibility	Timetable	Target and Evaluation Criteria for Successful Implementation	Status
PR1	Assessment and Management of Environmental and Social Impacts and Issues						
1.1	Develop and implement an EMS	Optimisation of environmental management through a formalised system. Provide resources for training and monitoring of emissions	EBRD PR1 Voluntary and best practice	Own resources, external consultants Cost Assign responsibilities	20xx	Develop and implement an EMS Attain ISO 14001 or equivalent certification Annual EHS Report to the Bank	
PR2	Labour and Working Conditions						
2.1							
PR3	Resource Efficiency and Pollution Prevention and Control						
3.1							
PR4	Health and Safety						
4.1							

No.	Action	Environmental & Social Risks (Liability/Benefits)	Requirement (Legislative, EBRD PR, Best Practice)	Resources, Investment Needs, Responsibility	Timetable	Target and Evaluation Criteria for Successful Implementation	Status
PR5	Land Acquisition, Involuntary Resettlement and Economic Displacement						
5.1							
PR6	Biodiversity and Living Natural Resources						
6.1							
PR7	Indigenous People						
7.1							
PR8	Cultural Heritage						
8.1							
PR10	Information Disclosure and Stakeholder Engagement						
10.1							