

REQUEST FOR EXPRESSIONS OF INTEREST
/Amended-the deadline for submission on expression of interest extended/

(CONSULTING SERVICES – FIRMS SELECTION)

Country: **Republic of Armenia**

Loan No.: **8957-AM**

Project: **Second Additional Financing for the Lifeline Road Network Improvement (LRNIP AF2)**

Assignment Title: **Technical Supervision of the Lifeline Road Network Improvement Project Second Additional Financing (LRNIP AF2) roads rehabilitation works**

The Republic of Armenia has received an additional loan in amount of EURO 13.40 million financing from the World Bank toward the cost of the Second Additional Financing for the Lifeline Road Network Improvement Project (LRNIP AF2) and intends to apply part of the proceeds for consultant services “Technical Supervision of the Lifeline Road Network Improvement Project Second Additional Financing (LRNIP AF2) roads rehabilitation works”.

The services include Technical Supervision of approximately 68 km roads rehabilitation civil works.

Under the LRNIP AF2 project twelve road sections rehabilitation works (in total approx. 68 km roads) will commence in June 2020 and planned to be completed in April 2021. The full duration of the Technical Supervision of the Lifeline Road Network Improvement Project Second Additional Financing (LRNIP AF2) roads rehabilitation works is 23 months, including DLP period (see Terms of Reference provided below for details).

Road Department SNCO of the Ministry of Territorial Administration and Infrastructure of Armenia now invites eligible consultants to indicate their interest in providing the services. Interested consultants must provide detailed information indicating that they are qualified to perform the services (brochures, description of similar assignments, experience in similar conditions, availability of appropriate skills among staff, etc.).

The shortlisting criteria are:

- General experience of the Consultant in road projects (Participation in IFI funded road projects within the last 10 years),
- Similar experience of the Consultant in providing Technical Supervision services of road construction/rehabilitation works (number of similar contracts within the last 5 years).

The attention of interested Consultants is drawn to paragraphs 3.14 and 3.15 of the World Bank’s *2018*), setting forth the World Bank’s policy on conflict of interest.

Consultants may associate with other firms in the form of a joint venture or a sub consultancy to enhance their qualifications.

A consultant will be selected in accordance with the QCBS selection method set out in the World Bank's Guidelines: *"Procurement regulations for IPF Borrowers"* (July 2016 revised in November 2017 and August 2018 Guidelines: *"Procurement regulations for IPF Borrowers"* (July 2016 revised in November 2017 and August).

Further information can be obtained at the address below during office hours (09:00 to 17:00 hours local time).

Expressions of interest must be delivered in a written form in English in person (or by courier services) or by e-mail in the Adobe PDF format to the address below not later than **May 08, 2020, 18.00 (local time (Yerevan))**.

Road Department SNCO
Attn: Tigran Naghdalyan, Acting Director
Ministry of Territorial Administration and Infrastructure
4 Tigran Mets str., 7th floor,
Yerevan, Armenia
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TERMS OF REFERENCE

**Technical Supervision of the
Lifeline Road Network Improvement Project Second Additional Financing
(LRNIP AF2) roads rehabilitation works**

A. Background

1. The Republic of Armenia has received an additional loan in amount EURO 13.40 million from the World Bank (WB) toward the cost of the Lifeline Roads Network Improvement Project Second Additional Financing (LRNIP AF2), and intends to apply part of the proceeds for consulting services for Technical Supervision of the LRNIP AF2 Road Rehabilitation Works.
2. The Ministry of Territorial Administration and Infrastructure of Armenia (MoTAI) has the overall responsibility for implementation of the LRNIP AF2 and has delegated implementation functions to the Road Department SNCO (Road Department).
3. Under the LRNIP AF2 project twelve road sections rehabilitation works (in total approx. 68 km roads) will commence in June 2020 and planned to be completed in April 2021 (see Appendix 1 for the LRNIP AF2 project roads list). The full duration of the Technical Supervision of the Lifeline Road Network Improvement Project Second Additional Financing (LRNIP AF2) roads rehabilitation works is 23 months, including DLP period.
4. The MoTAI through the RD will hire a consulting firm based on the Quality- and Cost-Based Selection (QCBS) procedures, described in the World Bank Procurement Regulations for IPF Borrowers (Procurement Regulations), dated July 2016, revised November 2017 and August 2018 to undertake the assignment for the Technical Supervision of the LRNIP AF 2 project roads rehabilitation works.
5. The roads rehabilitation Civil Works Contract Employer (“Employer”) will nominate a road engineer from the Road Department to act as the Project Manager as defined in the General Conditions of Contract for works. While implementing the Technical Supervision the Consultant will carry out the responsibility of the Project Manager’s Representative (PMR) with authorities to lead and control the Contracts as delegated in a separate letter of delegation of authority, which will include that the PMR will need the prior approval of the Employer for (a) issuing and evaluating any variation of scope and type of work with or without financial implications to the Contract price; (b) approval of the subletting of any part of the works; (c) approval of any extension of time of completion.

B. Objectives of the Assignment

1. The main objective for this assignment is to undertake Technical Supervision of roads rehabilitation works to ensure that civil works are carried out in full compliance with the engineering design, technical specifications and other contract documents (civil works contract) in order to achieve timely completion and high quality of construction.

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

Part 1: Tasks Prior to Start of Roads rehabilitation works:

- a) reviewing the detailed design and other civil works contract documents for each civil works contract before starting of roads rehabilitation works and commenting on any issues, mistakes, or improvements (technical design, traffic management during construction, legal, contractual, administrative, coordination or otherwise) that, in the opinion of the Consultant, needs to be addressed to secure a successful completion of the civil works contract. As necessary, the Client may instruct this task to the Consultant during construction as well;

b) reviewing the tests list in the civil works contract specification to ensure that it matches the needs considering that supplemental testing can be done using commercial laboratories;

c) surveying (including walk-over) construction sites (jointly with the Employer and contractors) before commencement of rehabilitation works to confirm the design appropriateness or identify and address any discrepancy with the Bill of Quantities and Drawings of the civil works contract and submit a recommendation. As necessary, the Employer may instruct this task to the Consultant during construction as well;

d) doing baseline surveys to measure the travel time, International Roughness Index (IRI), as well as traffic surveys to measure the Average Annual Daily Traffic for each link (road section);

e) providing road users means to file complaints or suggestions related to the construction works (e.g., phone number, e-mail), as coordinated and supervised by the Road Department; ensuring that the contractors also have a functional grievance mechanism.

f) updating the Code of Conduct (if it's necessary) that establishes expectations for behavior within a company and within the community which the company serves or works in (the Scope of ESHS, tasks and expected deliverables described in Appendix 4 to the TOR) The CoC should cover the commitments of a company with regard to Environmental, Social, Health and Safety (ESHS) obligations and GB. This CoC shall apply to all the Technical Supervision company, their employees (paid and unpaid, such as volunteers, interns), board or advisory council members and sub-contractors. The Code of Conduct should be written in plain language and signed by each worker to indicate that they have, 1) received a copy of the code; 2) had the code explained to them; 3) acknowledged that adherence to this Code of Conduct is a condition of employment; and understood that violations of the Code can result in serious consequences, up to and including dismissal, or referral to legal authorities.

A copy of the code shall be displayed in a location easily accessible to the community and project affected people.

Part 2: Supervision tasks during construction include but not be limited to:

a) Reviewing and approving the Contractor's Quality Assurance Plan, Work plan, traffic management plans, evaluating and monitoring the implementation of the civil works;

b) liaising with the Employer and contractors and preparing and submitting required reports. In case non-compliances are detected, issue notices, make appropriate settlements and inform the Employer;

c) performing daily supervision of the works, checking and approving materials, utilities, infrastructures, equipment, availability of quality certificates, technical passports and workmanship to ensure that the civil works contracts are executed in accordance with the civil works contract documents;

d) monitoring and checking the day-to-day quality control and quantity measurements of the works carried out under the civil works contracts, participating in marking works carried out on site, ensuring documentation of works performed and to be performed based on technological sequence (hidden works certificates, intermediate certificates, etc.) and implementation of laboratory testing required, testing protocols compliance and approving their reliability;

e) checking all quantity measurements and calculations required for payment purposes and ensuring that all measurements and calculations are carried out in a manner and at the frequencies specified in the civil works contract documents;

- f) compiling monthly reports on the civil works contracts supervision, checking and countersigning the monthly payment certificates after having established that the quality of the works is satisfactory and the quantities are correct and submitting a respective conclusion to the Employer (by the forms defined by the Employer);
- g) inspecting all works to ensure conformity of the implemented works to the approved design requirements and solutions and compliance with the drawings and other civil works contracts documents and identifying all possible deviations from the original design and urgently informing the Employer;
- h) Proposing new solutions as necessary to reflect changed conditions on the field or to address the civil works Contractor's justified request for variation and inform the Employer;
- i) preparing detailed recommendations (including comparison table of variation order, explanations on raised variation necessity and proposed solutions, other required reports, statements, calculations requested by the Employer) for the civil works contract change orders for the review and approval by the Employer;
- j) supervising the civil works Contracts in all matters concerning safety of the road works (including the erection of temporary signs, guardrails, lighting and availability of other safety means at road works), proper working conditions of road workers, and proper relationship between the Contractors and the road workers with the local population and, if required, to inform the Employer to take appropriate measures;
- k) reviewing, approving and monitoring the sources of materials used on construction sites by contractors;
- l) inspecting and testing materials and works done by contractors (see Appendix 2) to ensure compliance with the civil works contract specifications, and/or recommending the Employer instructing the contractor to remove and substitute the improper materials and/or work as required to meet civil works contract specifications;
- m) keeping a log book throughout the construction period where daily records over work quantities, tests and other activities to serve as a basis for monthly reporting and necessarily contain information concerning:
 - ✓ *work day start and end*
 - ✓ *Contractor's capability to execute works (availability of required equipment and labor force, technical condition, safety provision for works execution).*
 - ✓ *materials and structures brought to the construction site during the day (name, quantity, quality certificate or laboratory testing results)*
 - ✓ *works accomplished by the contractor during the day, i.e. name, place, volume, etc (appropriate documents to be attached)*
 - ✓ *deviations from the design documents, appropriate measures undertaken*
 - ✓ *emergencies, accidents, not planned suspension of works (indicating the reasons);*
 - ✓ *grievances received, referred and addressed from both communities and workers;*
 - ✓ *violations of code of conduct;*
 - ✓ *incidents, including fatalities, are recorded, reported (as per Environment and Social Incident Reporting Toolkit)*
- n) controlling and appraising the progress of the works and recommending to the Employer to order suspension of works and to authorize extensions of the period for completion of the works;
- o) inspecting for approval of all working drawings and as-built drawings prepared by the contractor;

- p) assisting the Employer with the execution of the Taking Over from the contractor of each civil works contract, in particular by preparing lists of deficiencies which need to be corrected;
- q) measuring and assuring acceptable level of specified International Roughness Index (IRI) after the completion of each civil works contract;
- r) measuring pavement deflections after the completion of each civil works contract using a FWD(own or rented);
- s) monitoring employment generation through civil works, by recording the permanent and temporary staff working for the contractor and subcontractors on a monthly basis;
- t) monitoring travel time improvement to drive the length of the rehabilitated road sections over baseline conditions;

Part 3: Activities during the civil works contracts Defect Liability Period.

- a) The Consultant shall provide services as required for the control and certification that defects are corrected by the contractor to meet civil works contract specifications by the end of the Defects Liability Period. (which is 365 days for each CW contracts).
- b) doing traffic surveys after the completion of each civil works contract to measure the Average Annual Daily Traffic for each link (road section).

Part 4: Environmental and Social Management Plan.

- a) The Consultant shall follow-up the Environmental and Social Management Plans (ESMPs) attached to the civil works contracts and take necessary action to ensure that the contractor takes necessary actions to meet mitigation measures prescribed by the respective ESMP. In case non-compliances are detected, the Consultant shall issue notices, make appropriate settlements and inform the Employer (the Scope of ESHS, tasks and expected deliverables described in Appendix 4 to the TOR). Any occupational health and safety (OHS) incidents that may occur at the Project sites must be immediately reported to the Employer without postponing that till a regular progress report is due.

D. Team Composition & Qualification Requirements for the Key Experts

2. The Consultant shall provide a team comprising of qualified experts and with satisfactory experience in implementing projects of similar nature and size, to ensure the duties and responsibilities described in this TOR. The Consultants shall prepare their own detailed organization and methodology in their Technical Proposals such that they fulfil the general requirements described in these Terms of Reference.

3. The Consultant's Team minimum composition shall be a **Supervision Team Leader**, a **Senior Quality Assurance Engineer**, a Senior Highway engineer, **twelve Resident Supervisors (at least one per each of road sections)**, an **Environment, Social, Health and Safety Expert** and other specialists and support/administrative staff as necessary (however, the Consultant is requested to organize his resources so as to deliver the assignment in the most effective way):

- a) **Supervision Team Leader:** The Supervision Team Leader should be a graduate senior highway/road engineer with at least 15 years international professional experience with proven records of at least 10 years of managerial experience in projects of a similar nature and magnitude. The Supervision Team Leader should reside in Armenia on a full-time basis throughout the period of the construction and supervise the civil works approving the materials and workmanship of the works in cooperation and consultation with the Employer’s Project Manager.
- b) **Senior Quality Assurance Engineer:** Senior Quality Assurance Engineer should be a graduate senior highway/road engineer with at least 10 years international professional experience including at least 5 years of relevant experience. He/she should be familiar with pavements and materials used in cold climate countries.
- c) **Senior Highway Engineer:** Senior Highway Engineer should be a qualified professional road engineer with at least 5 years professional experience in implementation of technical supervision (control and verification of constructed/rehabilitated road geometry, pavement, drainage, artificial structures, materials testing and results interpretation) of roads construction/rehabilitation works, and a fair understanding of pavement, geometry, structures and drainage design processes. He/she should have relevant experience and skills for carrying out quality supervision (both on site and in laboratories) of equipment and materials used in road rehabilitation or reconstruction projects and he/she should have appropriate knowledge for providing the necessary advice to the Employer ensuring consultancy to the Employer.
- d) **Resident Supervisors:** Resident Supervisors should have a qualification of an engineer-constructor in road construction sphere and at least 3 years professional experience in technical supervision of road construction quality. He/she should have relevant experience and skills for carrying out quality supervision (both on site and in laboratories) of equipment and materials used in road rehabilitation or reconstruction projects.
- e) **Environment, Social, Health and Safety Expert:** Environment, Social, Health and Safety Expert should have at least 5 years professional environmental experience and skills for carrying out environmental monitoring and audits related to infrastructure development. He/she should have relevant experience and skills for carrying out ESMP review, environmental monitoring and in depth knowledge of World Bank Operational Policies and local Environmental legislation. The detailed explanation of Environment, Social, Health and Safety tasks and qualification requirements please find below in Annex 4 to the TOR.

E. Reporting Requirements and Time Schedule for Deliverables

4. Taking any action under a civil works contract designating the Consultant as “Project Managers Representative”, for which action, pursuant to such civil works contract, the written approval of the Employer as “Employer” is required.

5. The Consultant shall prepare and submit to the Employer the reports as summarized below both in the Armenian and English languages (2 copies in Armenian and 1 copy in English) and shall additionally make these reports available electronically:

(i) **Mobilization Report:** No later than two weeks after the contract effective date as specified in SCC, a brief report should be submitted providing information on the Consultant’s mobilized staff and work plan, and in particular informing on results of survey of construction sites confirming the design appropriateness or identifying any issues that may need to be addressed, on any issues of importance the Consultant may have noted that deviate from the given conditions of his contract or other issues

that may create problems for the successful timely completion of his or the contractors' contracts within the given contract amounts.

(ii) **Baseline Surveys Report**: No later than four weeks after the contract effective date as specified in SCC, the results of baseline surveys to measure the daily traffic, travel time and the IRI for each link (road section) shall be submitted. The Baseline Survey Report shall include baseline instrumental measurements and analysis of dust, noise, vibration and water quality for each road section rehabilitation works (if needed according to ESMP).

(iii) **Monthly Progress Reports**: No later than the 15th of each month, one monthly progress report, in a format agreed with the Employer, for all civil works contracts (the Report should include separate chapters for each of roads rehabilitation contracts) should be submitted summarizing the work accomplished by the supervision team for the preceding month, including the progress of the civil works contracts, status of physical and financial progress, the status of contractors claims for cost or time extensions, if any, brief descriptions of problems encountered including a record of any accidents on site and recommended solutions, information on any OHS incidents, along with follow-up action undertaken, grievances, violations of the code of conduct, civil works contracts Variations and Change Orders, employment generated through civil works (see Appendix 3) and other relevant information for each of the ongoing civil works contract requested by the Employer. In the consequent monthly reports, the consultant needs to provide a follow up sections on previously reported problems and what follow up actions were undertaken by the Consultant/Employer/Contractors. The report should also contain the records of the Consultant's work for the preceding month (timesheets, copy of correspondence with the Employer and contractors, etc) and the reporting on (a) quality control and management, (b) compliance with the ESMP, any adverse environmental impacts that accrue during construction, the corrective measures taken to remedy that impacts and (c) social safeguards matters as separate chapters for each road civil works contract. Each Monthly Progress Report should be submitted along with other supporting documents of the Consultant's statement for the specific month payment.

(iv) **Technical Reports**: Technical reports should be submitted during the assignment for each major design change. In particular, a design review report should contain at least:

- (a) the data on which the original as-tendered design was based;
- (b) a complete record of all new design data relevant to the design review, including environmental and social matters;
- (c) the implications of the revised design on the BoQs and ESMPs;
- (d) a description of the design assumptions adopted where these differ in any way from the standards adopted for the LRNIP AF2. Any design assumptions should be agreed with the Employer;
- (e) drawings showing both the original design and the varied design; and
- (f) a rescheduled list of quantities and costs of the varied design.

(v) **Completion Reports**: A Completion Report should be submitted for each civil works contract. These reports must be submitted immediately after the Taking Over and summarize the method of construction, the construction supervision performed, provide summary of temporary employment generated by the project/contract. The last Contract Completion Report should be accompanied by a Summary Completion Report summarizing for each link (road section) the key information from all the Completion Reports and results of the final surveys to measure the improvement of the travel time,

deflections using FWD and the IRI. The completion Report shall also include compliance with the ESMP including post construction environmental audit checklist.

(vi) **Defect Liability Period Reports**: Defect Liability Period Reports should be submitted for each civil works contract. These reports must be submitted immediately after the Defect Liability Period is over and summarize all defects found and corrected. The last Contract Defect Liability Period Report should be accompanied by a Summary Defect Liability Period Report summarizing the key information from all the Defect Liability Period Reports.

F. Assignment administrative arrangements

6. The Consultant is required to arrange and pay for appropriate offices and accommodation in Armenia and at the works sites, international and local travel expenses and vehicles for inspection and all other transport of his staff, office equipment, telecom equipment and services and consumables. The Consultant should provide all interpreters and/or translators that might be required to undertake the assignments (including at the works sites) and ensure consistency and accuracy of English and Armenian versions of the deliverables and reports. These costs are included in the Consultant's Financial Proposal.

7. The Resident Supervisors should supervise construction of the work and test or order to test and examine any materials to be used or workmanship employed in connection with the works.

8. The quality management of the civil works contracts will be carried out as follows. All contractors will have a site laboratory (or contract with a licensed commercial laboratory) for their own materials testing. The civil works contractor's laboratory and its staff are open and available for the Consultant to check the contractor's testing and provide advice to the contractor's staff if required. The Consultant can carry out his own supplementary tests in the civil works contractor's laboratory as needed. The materials and works standards are provided in the civil works contract's Technical Specifications and its corresponding common tests are listed in Appendix 2.

LRNIP AF 2 project roads list

<u>Roads rehabilitation works</u>					
<u>Road section No.</u>	<u>Marz (Region)</u>	<u>Road section</u>	<u>Length (km)</u>	<u>Civil Works Start (Planned)</u>	<u>Duration of civil works* + DLP (Planned)</u>
1.1	Armavir	Lukashin-H17	3.2	June	5 months +12 months
1.2	Syunik	Dastakert - Nzhdeh - Tsghuni	5.4	June	6 months+12 months
1.3	Gegharqunik	M11-Akhpradzor	7.82	June	8 months+12 months
1.4	Gegharqunik	M11-Akhpradzor	6.65	June	8 months+12 months
1.5	Aragatsotn	M1 - Nerkin Sasnashen - Metsadzor	9.9	June	11 months+12 months
1.6	Arararat	H12-Noramarg-Hovtashen-M2	4.4	June	7 months+12 months
1.7	Gegharqunik	M4-Sevan-Akhtamar complex-M4	5.3	June	8 months+12 months
1.8	Lori	M6-Yeghegnut-Debed	8.3	June	10 months+12 months
1.9	Lori	T-5-32-Katnajur	4.6	June	8 months+12 months
1.10	Syunik	M2-Noravan	5.3	June	8 months+12 months
1.11	Syunik	H46-Khot	2	June	5 months+12 months
1.12	Shirak	Shirak-Kamo	5	June	8 months+12 months
Total (roads length)			67.8		

***If the specified period covers the winter season, the Completion date is suspended from December and resumes after 3 months.**

Appendix 2 to the TOR

The Consultant shall inspect and test materials and works done by contractors to ensure compliance with the Civil Works Contract Section VII (Specifications & Performance Requirements) and supervise the Contractors' laboratory tests and measurements, including but not limited to:

1. Laboratory tests on control of grain density of stone material.
2. Laboratory tests for determination of granulometric analysis of mineral materials.
3. Laboratory tests on control of grain form coefficient of stone material.
4. Laboratory tests on control of binding material and grain content of a/c mixture.
5. Laboratory tests on control of mixture compaction on base of bitumen.
6. Laboratory tests on control of maximal density of pavement materials.
7. Laboratory tests on control of a/c mixture specific gravity by testing of dried samples.
8. Laboratory tests on determination of penetration.
9. Laboratory tests on control of humidity-density relationship for a/c mixture.
10. Laboratory tests on control of softening.
11. Laboratory tests on control of soil density.
12. Laboratory tests on control of stone material wear resistance.
13. Control on proper selection and use of crushed stone, gravel, sand and mineral powder at preparation of a/c mixture.
14. Control on scope of implemented works.
15. Control on proper technology of work arrangement.
16. Control on surface smoothness after final rolling of a/c mixture by rollers (by use of metal pole in length of 2 and 5 m accordingly in direction of cross slope and parallel to the central axis)
17. Control on thickness of pavement layers to conform to design specifications.

The tests above should be carried out using applicable Armenian standards (SNIIPs and GOSTs) specified the civil works contract Section VII (Specifications & Performance Requirements).

The analysis/tests/certificates should provided by the licensed independent/commercial road laboratories.

Log book on employment generation

Name of the Road Section _____

Reporting Period _____

Name of Supervisor _____

Signature _____

Date	Headcounts of permanent workers found	Headcounts of temporary workers found	Headcount of Specialists (University Degree) found	Remarks on safeguard, road users safety and workers safety related issues

Instructions to supervisors

- Conduct headcounts of workers on the daily basis.
- Report the number of female workers found in bracket too.
- Record findings related to ESMPs and any damages or demolitions done during construction on roadside trees, plants, fences, crops, structures, houses, commercial structures or other personal properties. Records road accidents. Record road construction safety matters.

Requirements and Scope of Services

Key Expert/s: Environment, Social, Health and Safety (ESHS)

Qualification for the ESHS Key Experts:

The Key Expert/s shall have the appropriate level of academic and professional qualifications and experience to recognize and to deliver good international industry practice with respect to Environment, Social, Health and Safety (ESHS).

Scope of ESHS Services, tasks and expected deliverables

Ensure the Contractor's ESHS performance is in accordance with good international industry practice and delivers the Contractor's ESHS obligations.

This includes, but is not limited to:

1. review and approve ESHS provisions of method statements plans, proposals, schedules and all relevant Contractor's documents;
2. review and advise the relevant person (of the Engineer) on the ESHS risks and impacts of any design change proposals and the implications for compliance with ESIA, ESMP, consent/permits and other relevant project requirements;
3. undertake audits, supervisions and/or inspections of any sites where the Contractor is undertaking activities related to the Works, to verify the Contractor's compliance with ESHS requirements, with and without contractor and/or Employer relevant representatives, as necessary, but not less than once per month
4. undertake audits and inspections of Contractor's accident logs, community liaison records, monitoring findings and other ESHS related documentation, as necessary, to confirm the Contractor's compliance with ESHS requirements;
5. report to the Employer any occupational health and safety (OHS) incidents that may occur at the Project sites without postponing that till a regular progress report is due;
6. agree remedial action/s and their timeframe for implementation in the event of noncompliance with the Contractor's ESHS obligations;
7. attend meetings including site meetings, progress meetings to discuss and agree appropriate actions to ensure compliance with ESHS obligations;
8. undertake audits, supervisions and/or inspections to monitor whether the undertake all required actions in terms of social safeguards issues, such as: public consultation and communication with stakeholders (residents community representatives), Grievance Redress Mechanism (submitted written and verbal complaints/queries etc. and measures taken for their solution), monitoring of access issues (provision of alternative access to the communities and near located properties), other social issues;
9. check that the Contractor's actual reporting (content and timeliness) is in accordance with the Contractor's contractual obligations;
10. review and critique, in a timely manner, the Contractor's ESHS documentation (including regular reports and incident reports) submitted to *[Resident Engineer or named Key Expert with overall responsibility for the Engineer]* and to provide advice to ensure the accuracy and efficacy of the documentation
11. undertake liaison, from time to time and as necessary, with project stakeholders to identify and discuss any actual or potential ESHS issues, and report to *[Resident Engineer or named Key Expert with overall responsibility for the Engineer]*;

prepare a monthly report that describes the work that the Engineer's ESHS Key Expert/s have undertaken, the issues (including any Contractor's ESHS noncompliance) identified and the actions taken to address the issues.

Guiding principles for GBV Section in the Code of Conduct.

Given the impossibility to describe exhaustively every conceivable form of acceptable or unacceptable behavior in the CoC, the Staff are expected to use good judgment to conform with the overall logic of the CoC in line with the following guiding principles:

- Adhering to applicable national laws and regulations regarding GBV/SEA at all times.
- Adhering to standards, regulations and best practices set by the World Bank.
- Treating others with respect, dignity, impartiality and challenging any form of harassment, discrimination, intimidation, exploitation or abuse.
- Behaving in an honest, trustworthy and ethical manner.

Definitions: For purposes of this CoC, the following definitions apply.¹

- *Gender-based Violence* is an umbrella term for any harmful act that is perpetrated against a person's will and that is based on socially ascribed (i.e. gender) differences between males and females. It includes acts that inflict physical, sexual or mental harm or suffering, threats of such acts, coercion, and other deprivations of liberty. Women and girls are disproportionately affected by GBV across the globe.
- *Sexual Exploitation and Abuse* is any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. Sexual abuse is further defined as "the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions." Women, girls, boys and men can experience SEA.
- *Sexual Harassment (SH)* is unwelcome sexual advances, requests for sexual favors, and other unwanted verbal or physical conduct of a sexual nature. SH differs from SEA in that it occurs between personnel/staff working on the project, and not between staff and project beneficiaries or communities.
- *Survivor-centred approach* is based on a set of principles and skills designed to guide professionals- regardless of their role—in their engagement with survivors (predominantly women and girls but also men and boys) who have experienced sexual or other forms of violence. The survivor-centred approach aims to create a supportive environment in which the survivor's rights are respected and prioritized, and in which the survivor is treated with dignity and respect.
- *National Law* is a law, rule or regulation of a government at a national or sub-national level.
- *Discrimination* is the inappropriate differentiation between individuals or groups based on characteristics such as race, color, nationality, national, social or ethnic origin, religion or similar belief, language, political or other opinion or affiliation, gender, gender identity, sexual orientation, family or civil status, health status, size, or physical ability.
- *Consent* is a key consideration in GBV particularly with regards to SEA and SH. Consent should be voluntarily and freely given, informed, based upon a clear appreciation and understanding of the facts, implications and future consequences of an action.

¹ The Bidders are encouraged to update the list as necessary. Given definitions are in compliance with the World Bank Good Practice Note "Addressing GBV in Investment Project Financing involving Major Civil Works".

- *Childis* anyone under the age of 18.²
- *Misconduct* is behavior, or an act or omission, which is unacceptable or improper, contrary to the principles, ethics and/or rules of CoC. Misconduct may not necessarily be intentional and can arise from neglect, recklessness or mismanagement.
- *Retaliation* is any direct or indirect detrimental action recommended, threatened or taken because an individual reported misconduct in good faith. When established, retaliation is by itself misconduct.

The following specific standards of conducts shall apply:

1. Staff shall behave in accordance with applicable national laws and regulations.³ Staff shall adhere to the highest ethical standards and to refuse participating in misconduct.
2. Staff shall follow the non-discriminatory approach in dealing with the local community (including vulnerable and disadvantaged groups), rejecting discrimination on the basis of family status, ethnicity, gender, religion, marital status and on any other grounds.
3. All forms of gender-based violence, including sexual harassment, sexual exploitation and sexual abuse constitute acts of serious misconduct and are therefore grounds for disciplinary measures, including dismissal or referral to legal authorities.
4. **Sexual activity with children (persons under the age of 18)** is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child shall not be regarded as excuse.⁴
5. Manifestations of misconduct, such as exchange of money/goods or services/ employment, as well as exchange of assistance anticipated for the beneficiaries of assistance, for sex, including sexual favor or other forms of intimidating, degrading or exploitative behavior, is prohibited.
6. Sexual relationships between the Staff and beneficiaries of assistance/ local community representatives are strongly discouraged on the considerations of potential power dynamics and conflict of interest.
7. Sanitation requirements (for example, to ensure workers use specified sanitary facilities provided by their employer and not open areas)
8. All concerns and/or suspicions regarding any kind of violation of the CoC by a fellow Staff member shall be reported via established reporting mechanisms.
9. The Staff member who reports violations of the CoC shall provide all available information in good faith and to the best of his/her knowledge.
10. The anonymity of the Staff member who reports violations of the CoC shall be protected to ensure the environment of non-retaliation against him/her.
11. In the event of reported incidents of GBV/SEA/SH, the management shall carry the responsibility to share information on the allegation with relevant authorities as appropriate, upon a protection risk assessment and in line with informed consent.

² The national legislations may vary, but the World Bank retains to the definition provided above even if national law may have a lower age.

³ The Bidders are suggested to reference specific national Laws and Regulations , such as the RA Criminal Code (Article 138 on Rape; Article 139 on violent sexual actions; Article 140 on compelling a person to sexual action), the RA Family Code (regulations on marriage age threshold) , RA Civic Code , the Law on the Prevention of Family Violence, Protection of Persons Subjected to Family Violence, and the Restoration of Family Peace, etc..

⁴The age of consent has important implications for workers employed on World Bank financed projects. If a worker is married to someone under the age of 18 and that marriage is recognized by a public, religious or customary authority and consistent with the legal age for marriage in the country, such under-age marriage shall not constitute a reason not to employ the worker. Under any circumstances other than these, Codes of Conduct shall prohibit workers from engaging in sexual intercourse with anyone under the age of 18.

12. Management shall ensure immediate referral of the victim to safe and confidential victim assistance, including legal assistance, where available, based on their needs and consent.⁵
13. GBV/SEA data shall be shared confidentially and compiled and analyzed in survivor-centered approach that ensures survivor anonymity and the safety and security of all involved. The management shall treat GBV/SEA information as extremely sensitive and prevent dangerous consequences if misused.⁶
14. The reported incidents shall be reported immediately to the GRM Operator of the Project Grievance Redress Mechanism (GRM) with the client.
The management shall carry the responsibility to settle the reported issue in accordance with GRM requirements/ and inform the concerned Staff about the settlement of the incident and preventive actions undertaken.

Communication

- **The Code of Conduct should be written in plain language and signed by each worker to indicate that they have:**
 - received a copy of the code;
 - had the code explained to them;
 - acknowledged that adherence to this Code of Conduct is a condition of employment; understood that violations of the Code can result in serious consequences, up to and including dismissal, or referral to legal authorities.

Sample text for the last two points.

(I do hereby acknowledge that I have read the foregoing Company Code of Conduct, and on behalf of the company agree to comply with the standards contained therein. I understand my role and responsibilities to support the project's OHS and ESHS standards, and to prevent and respond to GBV. I understand that any action inconsistent with this Company Code of Conduct or failure to act mandated by this Company Code of Conduct may result in disciplinary action).

A copy of the code shall be displayed in a location easily accessible to the community and project affected people.

⁵ The WB shall provide the Bidder with the mapping document of GBV service providers in Armenia.

⁶ The Bidders are encouraged to develop internal GBV/SEA data protection and information-sharing protocols.