



**REQUEST FOR PROPOSALS
FOR
CONSULTANCY SERVICES FOR CONDUCTING
ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT OF THE
DDUNDU WASTE TREATMENT AND DISPOSAL FACILITY
KAMPALA UGANDA**

Reference Number: CIGUA005- RFP 102

Date of issue: September 28, 2020

**Cities and Infrastructure for Growth Uganda Programme is funded with UK aid
and implemented by Cardno International Development**

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Invitation to Bid

Cities Infrastructure and Growth (CIG) programme Uganda is funded by the Foreign and Commonwealth Development Office (FCDO) formerly DFID, and implemented by Cardno International Development along with partners Ricardo, Genesis and ORI. At present, Uganda lacks sufficient financing for its important infrastructure investment agenda. In addition, public investment in infrastructure projects has to date delivered negative returns on investment. Hence there is a need to increase productive investment into infrastructure services, particularly where it directly supports growth. The preliminary measure needed for this purpose is to help Ugandan institutions improve the preparation of projects to an investment grade of bankability.

CIG Uganda now invites qualified firms to submit proposals to provide consultancy services for the Environmental and Social Impact Assessment of the Ddundu Waste Treatment and Disposal Facility. The RFP document is structured in two main sections (A and B) as below;

Section A - instructions about the required content of proposals;

Section B - evaluation criteria as the basis for assessing proposals containing 3 annexes

Annex 1: Terms of Reference (ToR) - full project details and required scope of services

Annex 2: Qualification Requirements (Eligibility, Financial Situation & Performance and Project Experience)

Annex 3: Detail Terms and conditions for participation in this procurement procedure.

Proposals must be received by no later than 16 October 2020. Proposals and all queries should be submitted directly to procurement@ugandacig.com with copy to dorothy.nakimuli@ugandacig.com

Should you be interested in this procurement opportunity, please make sure that you register your name and email with CIG Uganda to receive any subsequent clarifications/amendments that may be issued related to the procurement. Please register your interest by sending an email to procurement@ugandacig.com with copy to dorothy.nakimuli@ugandacig.com.

Yours sincerely,

Dorothy Nakimuli
Procurement Manager

SECTION A: INSTRUCTIONS TO BIDDERS

Proposals must clearly indicate the name of the bidder responsible for the submission.

Content of Proposals

The bidder must submit a proposal that includes the following documents:

A. Technical proposal

a) **Technical Approach, Methodology, and Organization of the Consultant's team.**

Please explain your understanding of the objectives of the assignment as outlined in the Terms of Reference (TOR), the technical approach, and the methodology you would adopt for implementing the tasks to deliver the expected output(s); the degree of detail of such output; and describe the structure and composition of your team. Please do not repeat/copy the TORs in here.

b) **Work Plan and Staffing**

Please outline the plan for the implementation of the main activities/tasks of the assignment, their content and duration, phasing and interrelations, milestones (including interim approvals by the Client), and tentative delivery dates of the key reports. The proposed work plan should be consistent with the technical approach and methodology, showing understanding of the TOR and ability to translate them into a feasible working plan and work schedule showing the assigned tasks for each expert. A list of the final documents (including reports) to be delivered as final output(s) should be included here.

c) **Comments (on the TOR and on counterpart staff and facilities)**

Your suggestions should be concise and to the point, and incorporated in your Proposal. Please also include comments, if any, on counterpart staff and facilities to be provided by the Client.

d) **CVs of Proposed Experts**

A CV for each expert nominated for each of the positions. Only one (1) CV should be provided for each position to be nominated.

B. Financial proposal

The Financial offer must be presented as a total amount in Great British Pounds (GBP). The total price must be exclusive of any applicable local taxes including VAT. The contract with the successful bidder will make provision for VAT in addition to the global price if applicable. Bidders are required to specify if the contract is subject to local VAT, and if so, the estimated value.

Bidders must quote a daily fee rate¹. Please note that CIG Uganda does not pay for travel time.

The financial proposal must also include all expenses that are considered necessary by the bidder to achieve the objectives of the assignment including flights², accommodation, meals, visas, transports etc.

Bidders are advised that the overall indicative/maximum budget available for this contract is **GBP 80,000**.

No financial information should be included in the Technical Offer. The contracting authority reserves the right to clarify any of the information provided. Bidders, candidates and applicants, who have made false declarations, made substantial errors, committed irregularities or fraud may be excluded from participation in all procurement and call for proposal procedures financed by CIG Uganda.

The technical and financial proposals must be submitted in PDF format as separate files.

¹ The fee rates for all experts must include the remuneration paid to the experts, all the administrative costs of employing the relevant experts, such as equipment, relocation and repatriation expenses, expatriation allowances, leave, medical insurance and any other employment benefits given to the experts by the Contractor. It shall also include any security arrangement. Furthermore the fees shall also include the margin, overheads, profit and backstopping facilities.

² All flights must be in standard economy class

SECTION B: EVALUATION CRITERIA

Proposals will be evaluated on the following basis:

- Only companies that have **scored 70 points or more** will have their financial proposals considered.
- Of the companies that score 70 points of more:
 - The smaller value of the financial proposal will be considered the reference – scoring the total 20 points
 - All other companies' financial proposals will be scored against the reference proposal as follows:
 $20 \times (\text{Value in } \pounds \text{ of reference company Fin Proposal}) / (\text{value of company X's Fin Proposal})$

Company X is any other company (part from the reference company) that will have been assessed and met the technical evaluation minimum score

TOTAL SCORE:

TECHNICAL PROPOSAL POINTS (OUT OF 80) + FINANCIAL PROPOSAL SCORE (OUT OF 20)

Technical evaluation criteria

Technical proposals will be evaluated on the basis of the following technical criteria:

Criteria	Maximum Points
Specific Experience Relevant to the Assignment	10
Methodology Proposed	25
Work Plan	15
Key Personnel <ul style="list-style-type: none">• Lead Environmental Specialist/Team Leader (20 points)• Social Specialist (15 Points)• Water resource Specialists (15 Points)	50
Total:	100

Annex 1: Terms of Reference for the Environmental and Social Impact Assessment of the Ddundu Waste Treatment and Disposal Facility, Kampala, Uganda

1 Introduction

The Kampala Capital City Authority (KCCA) has initiated the development and implementation of an Integrated Solid Waste Management System for Kampala City. A key part of which will be a new landfill and associated waste management activities which will be developed under a public-private partnership (PPP) arrangement. This new landfill will allow the closure of the existing Kiteezi disposal site in Kampala.

These Terms of Reference (ToR) relate to the Environmental and Social Impact Assessment (ESIA), and a Resettlement Action Plan (RAP), for the planned new Ddundu Waste Treatment and Disposal Facility (referred to as the "Project").

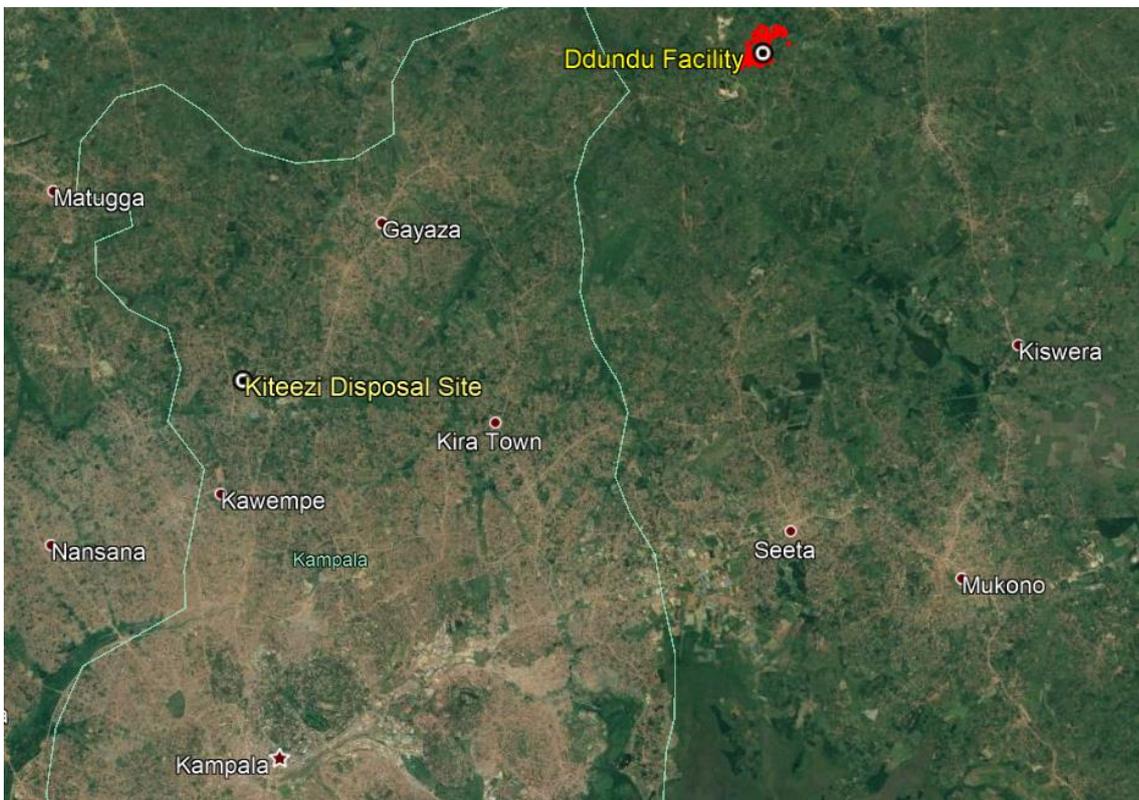


Figure 1: Location of current Kiteezi Disposal Site, planned Ddundu Facility sites (in Mukono district), and Kampala City Centre (Google Earth).

The ESIA should be carried out in line with requirements of the policy, legal and regulatory framework of Uganda as well as with the International Finance Corporation (IFC) Performance Standards (PS) on Environmental and Social Sustainability (2012) and the relevant World Bank Group Environmental, Health and Safety General Guidelines. Where the requirements differ between the IFC/World Bank standards and the national regulations, then the most stringent requirements should be applied. The National Environment Management Authority (NEMA) is the regulatory body responsible for the approval of the ESIA for the Project.

2 Background

Approximately 2,000 tonnes of Municipal Solid Waste (MSW) are generated each day in Kampala, of which about 60% is collected and transported to the existing Kiteezi disposal site, about 15 km north of the centre of Kampala. The Kiteezi site continues to receive MSW even though it has reached its full capacity, and KCCA is planning to construct its new waste treatment and disposal facility adjacent to Ddundu Village in Mukono District, about 40 Km northwest of the centre of Kampala.

The waste treatment and disposal facility at Ddundu is one component of KCCA's Kampala Waste Management Project, which also includes improvements to waste collection and transport, and the closure and rehabilitation of the Kiteezi disposal site. The development of an engineered sanitary landfill at Ddundu will be implemented under a Public-Private Partnership (PPP) structure, covering the design, construction, operation, closure, and post-closure (aftercare) of the landfill.

The Ddundu facility comprises an engineered sanitary landfill that will accept MSW and non-hazardous commercial waste, and an associated waste treatment facility. The plans for the waste treatment are being developed by KCCA, and are likely to focus initially on the organic fraction (e.g. composting), with the aim for a minimum of 30% of the delivered waste to be diverted from the landfill for recycling/composting.

Reports developed as part of the Project planning for the Ddundu facility include:

- Conceptual Design Study, which covers the Ddundu landfill but not the waste treatment facility at the site, carried out in 2018-2019³.
- Feasibility Study (2019) for the Kampala Solid Waste PPP Project, including the landfill and waste treatment facility at Ddundu⁴.
- E&S Scoping Report, which covers the potential transfer station at Kiteezi, as well as the Ddundu landfill, prepared in late 2018⁵.
- An earlier Scoping Report and ToR for the Ddundu landfill, prepared in 2017 and early 2018⁶.

The conceptual design includes the development of three waste disposal areas (8 cells); leachate collection, run-off basins and a leachate treatment plant; surface water and groundwater management infrastructure (e.g. ditches and drainage pipes); landfill gas collection system with flaring or a gas-fired power plant if feasible; general infrastructure (e.g. fencing, site offices, weighbridge); enlargement and paving of the access road (or construction of a new access road); and landfill machinery and equipment. The landfill at Ddundu will be developed in phases (cells will be prepared and closed sequentially). Closed cells will be progressively rehabilitated during the operational life of landfill.

³Conceptual Design Study - Ddundu Waste Treatment and Disposal Facility (Ramboll), September 2019.

⁴Feasibility Study Report - Kampala Solid Waste PPP Project (KCCA), July 2019.

⁵E&S Scoping report, Kiteezi transfer station and Ddundu landfill, (Ramboll), November 2018.

⁶ Scoping Report and ToR for the proposed Ddundu Landfill in Mukono District (COWI), April 2018.

The main components for which an option is still to be concluded are the route of the access road and the design capacity of the landfill:

- The Concept Design includes five alternative options for the access road, including widening of the existing access road plus four options with different alignments for part or all of the access route. Each option presents different potential impacts on local households in terms of displacement, environmental impacts and community safety.
- The capacity (and therefore life) of the landfill has been planned under different scenarios as part of the concept design and feasibility study. The variables included (i) removing the rock formation (see Figure 2) and including that area in the landfill footprint, (ii) purchasing an additional adjacent privately-owned land plot near the centre of the site to increase the footprint, and (iii) including waste treatment at the site to avoid landfilling some waste fractions (e.g. organic waste). The landfill lifetime scenarios should be reviewed during the ESIA as part of the analysis of alternatives.

The general standard for the design of the landfill is the European Union Directive on the Landfill of Waste (99/31/EC)⁷. The Directive is not a legal document in Uganda and the final design and operational requirements shall be those given in the permit for the landfill. However, the main principles of the EU Directive, for example for the composite bottom liner design, shall remain intact. World Bank Group EHS guidelines for waste management facilities apply to the project and per these guidelines, either EU or USEPA regulations apply. The PPP Contractor will be responsible for the development of the detailed design.

2.1 Ddundu Site

The Ddundu site was purchased by KCCA in 2015. The site is about 55 hectares in total. The existing 1.1 Km access road links the site to the main road that runs from Kampala through Gayaza and Nakwero to Kalagi. Nearby villages include Ddundu, Kiryamuli, and Buntaba. The site boundary is marked out with posts, and KCCA has employed a site caretaker, who lives at the site.

The site is largely uncultivated has been used for plants and trees propagation, livestock grazing, and fishponds. The site is crossed by several footpaths and some electricity lines. There are about 60 houses located within 250 m of the site boundary. The existing access road would need to be widened and paved if it were selected to be used for the landfill; such works would be likely to impact about 20 houses and a nursery school. The rock formation and springs in the area might have some spiritual / cultural value for nearby residents.

The site has a gradual slope from south-west to north-east and drops about 45 m. The geotechnical data from three boreholes indicates the main soil types are sandy clay and clayey silts. There is a wetland area to the north-east of the site fed by springs that were identified within the site boundary and are used by the community. There are also two wells downgradient of the site. The Feasibility Study proposes the installation of three new wells for the community to compensate for loss of access to the springs on the site and the two wells that will be closed downgradient of the site.

⁷EU Directive 99/31/EC on the Landfill of Waste: https://ec.europa.eu/environment/waste/landfill_index.htm

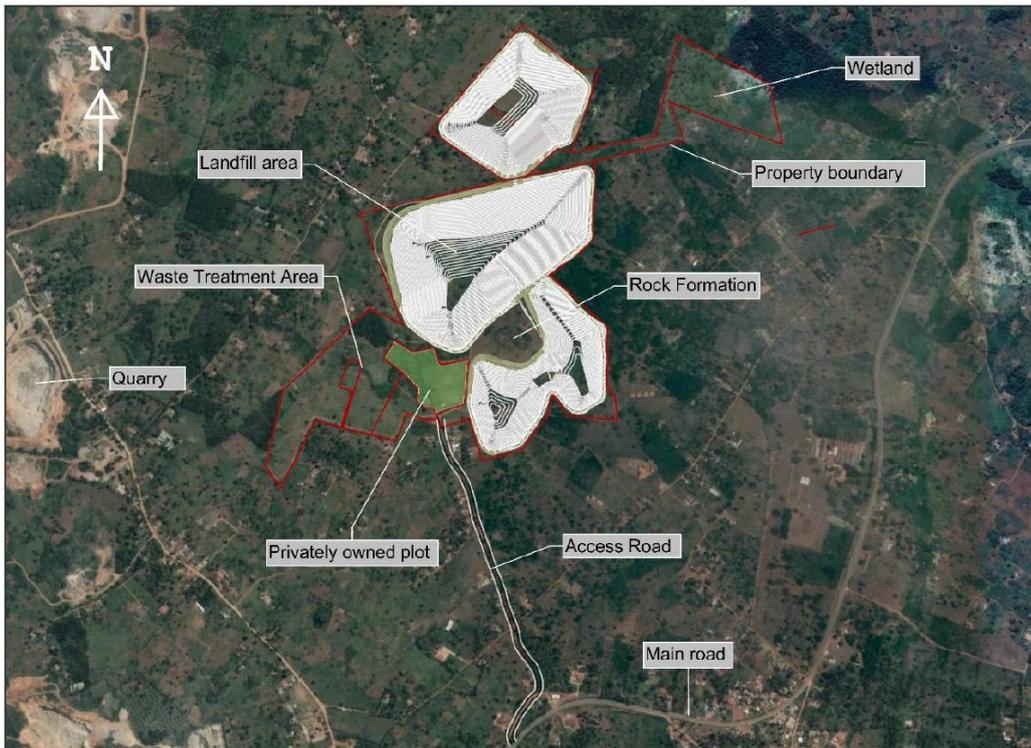


Figure 2: Overview of Ddundu facility (from the Concept Design, Ramboll, 2019).

The concept design includes construction of a mineral barrier (using material transported from elsewhere) and an HDPE liner. Due to the shallow groundwater and springs, underlying drains will be part of the landfill design to enable groundwater movement underneath the base of the landfill. Water monitoring programmes will be an important part of the baseline for the ESIA, and ongoing during construction and operation.

Other potential social impacts include the likely activities of waste pickers (including sorters, middlemen, wholesalers and recyclers) at the site and risks from the associated influx of people, as well as risks to community safety from the increase in traffic (e.g. waste trucks).

Stakeholder consultation has been carried out at different stages in the planning since 2013. This has included focus group discussion sessions with the communities and other different stakeholder groups in 2018. The local communities have expressed concerns about environmental impacts (e.g. odours, dust, noise, air pollution, surface and sub-subsurface pollution, biodiversity loss, nuisance from birds) and social impacts (e.g. increased traffic, human influx, accidents).

A Resettlement Action Plan (RAP) will need to be developed in addition to the ESIA and Environmental and Social Management Plan (ESMP) to comply with IFC PS5 and applicable laws and guidelines of Uganda (e.g. on land valuation). The RAP will address any required physical and/or economic displacement that may be required to complete the project, including resettlement/compensation for the relevant properties along the access road, houses within the buffer zone, and the closing off of access for use of communal land (e.g. grazing areas).

The Ugandan Government (including KCCA) can acquire land compulsorily on the grounds of public interest. It is noted however that, regardless of tenure, KCCA will aim to undertake the land

acquisition process based on fair negotiation. The ESIA consultants will support and advise KCCA with the RAP, in terms of compliance with IFC PS5 and with the legal process for land acquisition in Uganda (i.e. in relation to the relevant legislation including the Land Act (1998), Land Acquisition Act Cap 226, associated Guidelines for Compensation Assessment under Land Acquisition, and the approval requirements by the Chief Government Valuer).

The ESIA should include relevant capacity assessment of KCCA and other relevant stakeholders in terms of implementation (e.g. monitoring and enforcement of provisions in the PPP contract, capacity for implementation of the RAP, etc.) and the ESMP should include capacity development and training plans as applicable.

3 Objective of the Assignment

To carry out an Environmental and Social Impact Assessment for the planned Ddundu solid waste treatment and disposal facility, including development of a Resettlement Action Plan, in line with the relevant laws and regulations of Uganda and IFC Environmental and Social Performance Standards. The Consultant will identify, predict, and evaluate the economic, social, and environmental impact of the new landfill and will identify appropriate alternatives and mitigation measures in order to minimize negative impact.

4 Framework of Requirements for the Assignment

The following points set out the framework of requirements for the ESIA:

- The ESIA will cover all activities at the Ddundu site including the waste treatment facility, leachate collection and treatment, methane collection, and the access road(s) and improvements to these.
- The ESIA will cover the construction, operation, closure and post-closure (aftercare), and also identify mitigation measures that need to be included in the detailed design of the landfill and treatment facility.
- The ESIA will be carried out in line with:
 - The relevant laws and regulations of Uganda⁸.
 - IFC's Environmental and Social Performance Standards 2012⁹.
 - World Bank's Environmental, Health and Safety (EHS) General Guidelines¹⁰ and the World Bank's Environmental Health and Safety (EHS) Guidelines for Waste Management Facilities¹¹.
 - Other potentially applicable guidelines of the World Bank Group.

⁸ The National Environmental Act (2019) and other relevant regulations including on EIA, waste management, labour, land acquisition, etc.

⁹ IFC E&S Performance Standards:

https://www.ifc.org/wps/wcm/connect/Topics_Ext_Content/IFC_External_Corporate_Site/Sustainability-At-IFC/Policies-Standards/Performance-Standards

¹⁰ World Bank EHS General

Guidelines: https://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/sustainability-at-ifc/policies-standards/ehs-guidelines

¹¹ World Bank EHS Guidelines for waste management facilities: <https://www.ifc.org/wps/wcm/connect/5b05bf0e-1726-42b1-b7c9-33c7b46ddda8/Final%2B-%2BWaste%2BManagement%2BFacilities.pdf?MOD=AJPERES&CVID=jqeDbH3>

- IFC's Stakeholder Engagement Handbook¹².
- IFC's Handbook for Preparing a Resettlement Action Plan¹³.

5 Overview of Tasks

The anticipated tasks for this assignment have been set out below. It should be noted that the overview of tasks provided in this section is indicative and does not necessarily provide a complete list. During the assignment, the ESIA consultant will identify other areas of assessment, engagement and planning that are needed to achieve the objectives of the ESIA and RAP.

The detailed design is likely to start during the ESIA. The ESIA consultant will co-ordinate with the technical design team to advise where technical design options could significantly affect the E&S risks, to discuss the alternatives, and ensure mitigation measures and stakeholder concerns are taken into account in the design. If the detailed design has not started during the time period for the ESIA, the design work will take into account the mitigation measures included in the ESMP and RAP.

5.1 Inception Phase

The ESIA assignment will build on the scoping studies and involve a "full" ESIA and RAP. An inception phase will be required for the following tasks:

- Review of the E&S scoping reports, concept design, feasibility report and other available information and data.
- Meetings with KCCA, site visit, and initial stakeholder consultation.
- Development of the project description, including ancillary infrastructure and associated facilities (as defined in IFC PS1), as a draft section of the ESIA that would be updated during the ESIA and parallel detailed design.
- Confirmation of the Project's Area of Influence relevant to the ESIA, taking into account the affected communities, in line with requirements in IFC PS1. This task will involve identification of receptors that could be impacted by the Project, including landowners, users, and households within the buffer zone and near the access road, the landfill site, and any areas that may be required during construction. It will also involve identifying existing or planned facilities that could impact the Project and/or contribute to cumulative impacts on local receptors.
- Review of the policy and legal framework, including a gap analysis against IFC Performance Standards.
- The identification of anticipated potential environment and social impacts/ risks and mitigation measures.
- Development of a programme of environmental baseline monitoring, including the methodology, standards used, timing and frequency of the monitoring. The programme plan should include identification of locations for installation of new groundwater monitoring wells.
- Development of a programme of activities to assess the social baseline, relevant to both the ESIA and the RAP, including the methodology and standards used to structure the approach. Details must include the number of households and other stakeholders to be surveyed and how these were identified. In addition, a representative survey sample should be identified based

¹²IFC Stakeholder Engagement Handbook: A Good Practice Handbook for Companies Doing Business in Emerging Markets. https://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/sustainability-at-ifc/publications/publications_handbook_stakeholderengagement_wci_1319577185063

¹³ IFC's Handbook for Preparing a Resettlement Action Plan: https://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/sustainability-at-ifc/publications/publications_handbook_rap_wci_1319577659424

on considerations such as gender representation, vulnerabilities, and marginalisation (at household and community level). A draft survey questionnaire should be provided with the inception report. This survey process will identify and/or confirm unique receptors relevant to the scope of the RAP, which will subsequently be surveyed in more detail as part of the RAP process.

- Stakeholder identification and mapping to develop a stakeholder database, including receptors relevant to the ESIA and RAP. The database will be updated on an ongoing basis.
- Development of the stakeholder engagement and consultation programme for the ESIA.
- Preparation of an inception report covering the above points.
- Facilitation of a workshop meeting with KCCA to ensure a common understanding and agreement on the above points.

The initial tasks to define the Area of Influence and baseline monitoring programme, and then the subsequent tasks relevant to ESIA/ESMP/RAP, should involve development of maps as far as possible to help illustrate the findings of the ESIA, using applicable Geographic Information System (GIS) tools.

5.2 Environmental and Social Baseline

Environmental and social baseline data will be collected so that the potential environmental and social risks can be identified, and mitigation measures developed, and so that the future monitoring of the facility can be compared to the baseline situation. These activities will provide the baseline for the ESIA and will contribute to the development and planning of the RAP process.

The data collection should build on the information already available from the E&S scoping studies and concept design. The baseline data collection will cover the range of physical, ecological, biological, socio-economic, and archaeological/cultural heritage aspects that are likely to be directly or indirectly affected by the planning, construction, operation, and closure, of the landfill.

For the environmental baseline monitoring, sampling and analysis methods should be used in line with applicable international standards, and the monitoring programme should take into account seasonal factors where relevant. Existing data in the E&S scoping studies, government reports and other documents, as well as topographical maps and satellite images, should be used during the planning of the monitoring.

The socio-economic baseline will involve a mix of obtaining and reviewing published socio-economic data (e.g. from statistical reports, NGO publications, academic studies, and so forth), and carrying out community surveys, interviews, and focus group discussions, covering a representative sample of affected households and organisations relevant to the ESIA and RAP.

The following provides an indicative overview of the minimum baseline data collection activities that will be expected. The ESIA consultant should plan the baseline monitoring and data collection to ensure the ESIA complies with relevant national regulations and IFC Performance Standards.

- Meteorological data (e.g. rainfall, prevailing and dominant winds, temperature) should be collected for use as applicable in the assessments of water resources, air quality and noise.
- Water resources – identify all relevant water resources used by the local communities, conduct community surveys on usage of water resources, set up monitoring programmes for groundwater and surface water to inform applicable hydrological and hydrogeological assessments of water resources and their management/protection. The ESIA consultant will be expected to develop a monitoring programme that provides a comprehensive baseline, against which future monitoring results during operation can be compared, and taking into

account the requirements of the EU landfill directive. The baseline assessment should include data on surface water, flood risks assessment, groundwater depths, seasonal variations, and groundwater flow rates and directions. It should include monitoring of drinking water quality and availability in the community, against which future monitoring of drinking water from the three new supply wells (and other water supply resources) will be compared.

- Flood hazard zones – identify any flood hazard zones within the Ddundu site.
- Soil type – the type of soil in the Ddundu site will have an impact on the design and operation of the new landfill. The ESIA consultant will conduct a soil characterization of the landfill site.
- Air quality –baseline monitoring related to the potential for local impacts from particulates and other relevant pollutants.
- Noise –monitoring the baseline so that an assessment of the impacts during construction and operation can be carried out.
- Biodiversity – carry out fauna and flora baseline surveys to an appropriate level of detail, identify modified and natural habitats (including an assessment of the wetland), and any species of conservation concern. Also identify any relevant ecosystem services associated with the site.
- Socio-economic baseline – plan and carry out community surveys relevant to the socio-economic baseline in the area of influence, covering population, demographics, households, livelihoods, health and educational conditions, cultural aspects, and other local social aspects, so that the local socio-economic characteristics can be assessed. The community surveys will provide data for the ESIA/ESMP and RAP. After the main socio-economic survey, it is expected that a more specific and detailed survey of households and other stakeholders relevant to the RAP will be carried out. The planning of the survey samples should consider the need for equal representation from male and female respondents, including those who may be marginalised due to their ethnicity, national origin, age, occupation, religious affiliation and so forth. The planning of the surveys should also consider community resources (e.g. water points and grazing used by the broader population) generally accessed by both male and female community members. This could be completed through collective and inclusive community resource mapping. In addition, the surveys should be planned to collect and assess relevant information on potential vulnerable groups that could be impacted by the Project (e.g. female-headed households). The ESIA consultant will document all feedback on the planned construction and operation of the landfill by surrounding communities.
- Cultural heritage –investigate the cultural heritage value of the rock formation at the site and other archaeological, cultural or spiritual sites including graves and graveyards.
- Labour - estimate the workforce needs during the construction and operation phases, and the associated arrangements (e.g. related to worker accommodation).
- Traffic – counts of traffic as applicable on the main road so that the relative impacts of the forecast number of trucks delivering waste can be assessed. Identification of sensitive receptors along the road to be used by waste trucks to Ddundu, particularly schools.
- Collection of other environmental and social baseline data as needed.

5.3 ESIA

The baseline data will inform the core tasks on the identification, analysis, and assessment of significance of the potential environmental and social impacts. The reliability of the baseline data should be taken into account and uncertainties described in the relevant sections of the ESIA. The assessment of environmental and social impacts should, as a minimum, cover potential impacts related to the following aspects:

- Groundwater and surface water resources and their quality (including drainage and surface run-off).
- Soils and erosion.
- Air quality, including odours.
- Greenhouse gas emissions and contributions to climate change.
- Noise and vibration.
- Biodiversity and ecosystem services.
- Landscape and visual.
- Traffic and transport.
- Materials (e.g. for construction of the landfill liner).
- Land acquisition and resettlement.
- Local employment and livelihoods (including management of waste pickers at the site).
- Occupational health and safety at site during construction, operation, and closure.
- Community health, safety, and security, including potential consequences of influx of waste pickers to the area.
- Cultural heritage.

The assessment will cover the construction, operation, and closure (aftercare). The ESIA consultant should assess other specific environmental and social aspects as applicable, for example the stability of waste slopes during operation. In addition, the ESIA should cover the waste treatment facilities (e.g. composting).

The ESIA method should describe each potential impact, including its potential duration, reversibility, spatial scale, and the relevant receptors, and whether the impact would be direct or indirect. The assessment should cover the magnitude, likelihood, and significance of the impacts. Potentially positive and negative impacts should be included. For all significant impacts, measures to mitigate negative impacts and enhance positive impacts should be defined, and the residual impacts after mitigation assessed. Mitigation measures shall be developed based on the mitigation hierarchy, where avoiding risks/impacts is prioritised, followed by minimising them, and finally compensating/offsetting residual impacts if applicable. The management actions will then be collated into the Environmental and Social Management Plan (ESMP).

In relation to the water resources, the potential risk of impacts of the Project on local groundwater and surface water resources should be assessed and the risks mitigated through the implementation of the ESMP. This should cover water quality as well as availability of water supply, and protection of the nearby wetland. The ESIA tasks should also assess whether the proposed three new wells will be sufficient compensation for the impacted communities, and identify optimum locations for the wells through the analysis of use of existing water resources and community consultation. The actions to develop and monitor the wells should be included in the ESMP.

Various components of the ESIA, including the risks related to landfill gases, will need to be taken into account during tasks by the ESIA consultants on developing conclusions on the potential impacts on the households in the buffer zone, and advising whether these households need to be resettled. Likewise, the ESIA consultants will carry out a detailed analysis of the alternatives for the access road, and provide a recommended option, based on technical, financial, environmental, and social criteria. The ESIA consultants should work closely with KCCA, Community, Religious and Cultural leaders on these aspects so that the preferred options are agreed and adopted. These aspects will inform the development of the RAP.

As well as the specific sections on the identification and assessment of the E&S impacts listed above, other sections of the ESIA document should include:

- Description of the Policy and Legal Framework, including specifying the permit requirements;
- Project description, including the Project Area of Influence;
- Analysis of Project Alternatives (including review of options analysis for selection of site location, comprehensive analysis of options for the access road, options that have been assessed during earlier project planning for the strategy for the site (e.g. landfill or waste to energy plant), options for purchase of extra plots to increase the landfill capacity and therefore lifetime, options for landfill reclamation, and specific options for site layout and technology (e.g. leachate treatment, landfill gas management, including direct use of landfill gas for cooking by surrounding communities, etc);
- Description of the impact assessment methodology;
- Assessment of any applicable cumulative impacts;
- Summary of stakeholder engagement activities carried out during the ESIA (see Section 5.4 below).

5.4 Stakeholder Engagement

Stakeholder identification and mapping will have been carried out in the inception phase, and, as necessary, the stakeholder database will be updated during the ESIA. In the inception phase, the ESIA consultant will have also developed the stakeholder consultation programme for the ESIA and RAP in line with national regulations and IFC Performance Standards. The consultation programme should take into account the findings from previous stakeholder engagement before the ESIA, which will be summarised in a section of the ESIA report along with the description of engagement activities and findings during the ESIA.

Stakeholder engagement for the ESIA and RAP will focus on a range of stakeholder groups, namely the locally affected communities, Local governments, religious leaders, other essential community service providers and shall ensure equal representation from male and female persons in leadership and non-leadership roles. Stakeholders include those households located in the buffer zone and near to the access road. In addition, households and organisations that are likely to be physically or economically displaced by the Project will be consulted as part of preparation of the Resettlement Action Plan (RAP). This will include livestock farmers that use the land taken by the Project and users of water resources that will be impacted. The engagement should particularly take into account vulnerable groups that might be impacted. In addition, dialogue, and consultation with waste pickers at Kiteezi, who might move their activities to Ddundu, should be considered and coordinated with KCCA. The common feedback and findings from engagement should be taken into account to develop the ESMP and RAP.

The ESIA/ESMP and RAP will be carried out to the satisfaction of KCCA, IFC and CIG. The draft ESIA/ESMP and RAP will be made available to stakeholders for review in line with national regulations and IFC Performance Standards, and this will include consultation workshops as required. Feedback will be taken into account in updating the document into the final ESIA/ESMP. As part of the consultation, the draft ESIA and RAP will also be reviewed by an independent E&S consultant. If a public hearing is required, then the ESIA consultant should provide support to KCCA as needed.

One of the components of the ESMP will be a Stakeholder Engagement Plan (SEP). This will set out the actions, timescales, and responsibilities for ongoing stakeholder engagement, including

responsibilities for updating the stakeholder database, recording stakeholder meetings, etc. It will include actions on information disclosure and procedures for implementation of a community grievance mechanism.

5.5 ESMP

The Environmental and Social Management Plan will include detailed action plans, and also a higher level management framework to ensure that the concessionaire has in place an Environmental and Social Management System (ESMS), including policy, responsibilities and organisational capacity to implement the ESMP and to maintain management control of E&S risks throughout construction, operation and closure.

The impact assessment will involve analysis of the significance of the potential environmental and social impacts and identification of measures to mitigate the potential negative impacts and enhance the positive impacts. These measures will be collated into the Environmental and Social Management Plan (ESMP). The ESMP will cover the pre-construction, construction, operation, and closure (aftercare) phases. It will clearly describe anticipated impact, mitigation, environmental and social monitoring activities, responsibilities, schedules, timeline and reporting. It should include indicative budgets. Key Performance Indicators (KPIs) should be specified in the ESMP, as a management of change procedure to identify changes in E&S risks and potential impacts over the concession period to inform changes to the ESMP as required over the life of the Project.

The ESMP will cover all potential environmental and social aspects covered by the ESIA. The management plans related to water resources should include provision of alternative water supply sources for communities affected by the closing of any wells and springs. The ESMP should also include an Emergency Preparedness and Response Plan.

The ESMP should include the Stakeholder Engagement Plan (SEP) and cross-references to the Resettlement Action Plan (RAP) as applicable.

It should also be noted that the actions committed to in the whole ESMP will be monitored by NEMA and in particular the District Environmental Officer, and IFC will appoint an independent engineer with roles that include monitoring compliance with E&S obligations.

5.6 Resettlement Action Plan

The RAP will be a separate document to the ESMP. It will include description of the land acquisition and access process that complies with both Ugandan and IFC requirements.

The process to develop the RAP will build on the socio-economic baseline survey and identify those households, landowners and users who will be directly impacted by either physical and/or economic displacement, including loss of access to natural resources and other ecosystem services. These tasks will therefore identify those households, landowners and users that will qualify for resettlement support and/or compensation and provide justification for their inclusion in the RAP. It is expected that households within the buffer zone and along the existing access road will be impacted in addition to a nursery school (depending on the analysis of alternatives for the access road during the ESIA/RAP process). The footpaths and electricity lines that cross the site should also be covered by the RAP assessment.

The RAP process should include the following activities:

- Identification and assessment of land tenure and ownership arrangements including customary, mailo, freehold and leasehold.
- All relevant notices and engagement requirements as per legislation (e.g. meeting with relevant district, parish, and village, authorities).
- Working with KCCA to clarify a cut-off date for eligibility and including explanation on the cut-off date in information disclosed on the Project. This process should consider the different definitions of cut-off dates according to Ugandan law and IFC PS5.
- Complete demarcation surveys with qualified surveyors and ensure all relevant access forms are signed off by required stakeholders.
- Appointment of a registered valuer or assessor to identify and value land, structural assets, crops, economic trees, cultural assets, graves, businesses, etc. and complete all relevant valuation forms and asset registers to detail specific compensation rates payable to impacted households.
- Completion of a relevant census and socio-economic survey including household and focus group discussions that can inform livelihood restoration and vulnerability and other impact mitigation.
- Completion and submission of relevant draft and final valuation reports for approval and appropriate disclosure.
- Consideration of the difference between Ugandan compensation levels and those of the IFC specifically related to market-related compensation versus replacement costs.
- Development of a RAP as a separate document including:
 - Background and description of the Project lay-out and design;
 - Relevant aspects of the legal and institutional framework;
 - Summary of potential project impacts that give rise to resettlement, the zone of impact, the alternatives considered;
 - Objectives of the RAP;
 - Summary of the baseline data collection and analysis;
 - Summary of the stakeholder engagement process related to resettlement, including stakeholder identification, public consultation, and disclosure;
 - Eligibility in terms of criteria for compensation and other resettlement assistance, including recording of the cut-off date;
 - Description of the valuation and compensation method and levels of compensation;
 - Summary of the displacement (e.g. number of persons, households, etc. affected), including identification of vulnerable groups and protection of cultural heritage sites;

- Entitlement framework with categories of affected persons and options offered;
- Livelihood restoration measures;
- Resettlement sites, with explanation of aspects on housing, infrastructure, and social services;
- Grievance mechanism;
- Institutional arrangements for implementation;
- Implementation schedule;
- Monitoring, evaluation, and reporting procedures;
- RAP budget.

The ESIA consultants should work closely with KCCA throughout the collection of socio-economic baseline data, surveys, and valuation, and planning the RAP, providing support and guidance to KCCA so that capacity is strengthened as needed for effective implementation of the RAP. For example, the ESIA consultants should facilitate training workshops related to the RAP.

6 Deliverables and Timescales

Inception Report	Two months after contract signing.
Draft ESIA/ESMP and Draft RAP for consultation (including non-technical summary)	Six months after contract signing.
Final ESIA/ESMP and RAP	8 months after contract signing.

After submission of the Final ESIA/ESMP and RAP to NEMA, the consultant will provide support to KCCA in relation to questions and comments from NEMA.

All documents will be written in English, with the non-technical summary also written in local language(s).

7 Qualifications and Experience of the Consultant Team

The ESIA consultant team is expected to have and be able to demonstrate the range of qualifications, skills, and experience to complete the above scope of work effectively, particularly in the following areas:

- Project management of high-profile ESIA in line with IFC PSs and the World Bank (WBG) EHS Guidelines;
- ESIA for waste management projects;
- Water resource management;
- Waste management;
- Social impact assessment, development of RAP including community engagement;
- Experience with similar ESIA projects in the region.

The following key skills shall be included as a minimum requirement for the Consultant's core team members.

Position	Description
Lead Environmental Specialist/Team Leader	A graduate degree in environmental engineering, or environmental studies or equivalent, with 15 years of relevant experience in ESIA preparation for infrastructure projects. Track record on ESIA impact assessment/ auditing of solid waste treatment/disposal projects using IFC PS and actual experiences in application. Experience in managing complex and multi-disciplinary projects involving several stakeholder groups. Fluency in both written and spoken English is mandatory and experience in the region is important in terms of understanding of local conditions.
Social Specialist	Track record in the assessment of social impacts for solid waste management in Sub-Saharan Africa, with a minimum 15 years of experience in public consultation, and resettlement and livelihood restoration expertise. Specific experience with landfill waste picker management. Knowledge and experience with IFC PS and other relevant requirements, and qualitative and quantitative methods including, focus groups, key informant interviews, socio-economic survey data collection and analysis. Fluency in both written and spoken English is required.
Water resource specialists	A qualified hydrogeologist with experience in groundwater modelling, water use scenarios as well as impact analysis of surface water drainage and resource use. Must hold a university degree in hydrogeology and/or water engineering disciplines or similar; have at least 10 years of relevant experience. Fluency in both written and spoken English is required.

The ESIA team can include other roles if considered to be needed by the Consultant, and the team will need to integrate NEMA-registered environmental practitioners for the environmental and the social aspects. Other specialist roles that will potentially be needed in the team for some inputs include:

- Waste Management Expert (with solid background and experience in Municipal Solid Waste Management disposal and treatment);
- Infrastructure Planning and Development Engineer (experience in Urban infrastructure- to provide inputs in terms of road access and interface with the waste management facility, alternative design layout to minimize impacts, complementary infrastructure for key services such as electricity, water supply and wastewater treatment);
- Land valuer/Surveyor (to deal with land uptake, valuation, relocation, and resettlement issues);
- GIS and Remote Sensing Expert (mapping and geo-location tasks);
- Geo-tech engineer.
- Botanist
- Zoologist

The team is expected to include a mix of international specialists with relevant experience in IFC Performance Standards and Ugandan specialists with relevant practical experience of the environmental, social, regulatory, and institutional frameworks in Uganda.

8 COVID-19 Considerations

Bidders should set out how they intend to deliver the scope of work given the restrictions related to COVID-19 pandemic and provide an EHS and COVID-19 management plan before starting any site visits or meetings. This should detail how they will ensure their COVID-19 management measures reflect the latest guidance from the Ugandan Authorities and/or WHO.

9 Abbreviations

E&S	Environmental and Social
EHS	Environmental, Health and Safety
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
EU	European Union
FCDO	Foreign, Commonwealth and Development Office (Formerly DFID)
GIS	Geographic Information System
HDPE	High Density Polyethylene
IFC	International Finance Corporation
KCCA	Kampala Capital City Authority
KPI	Key Performance Indicators
LRP	Livelihood Restoration Plan
MSW	Municipal Solid Waste
NEMA	National Environment Management Authority (Uganda)
PPP	Public-Private Partnership
Project	Ddundu Waste Treatment and Disposal Facility
PS	Performance Standard (of IFC)
RAP	Resettlement Action Plan
SEP	Stakeholder Engagement Plan
ToR	Terms of Reference
WBG	World Bank Group

Annex 2: Qualification Requirements

Eligibility

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
1.1	Nationality	Eligible Nationality ¹⁴	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Certificate of incorporation and a Signed Declaration that the bidder meets the requirement
1.2	Conflict of Interest	No conflicts of interest ¹⁵	Must meet requirement	Must meet requirement	Must meet requirement	N/A	A Signed Declaration that the bidder has no conflict of interest

¹⁴ The Republic of Uganda permits firms and individuals from all countries to offer goods, works and services for Government of Uganda-financed projects. As an exception, firms of a Country or goods manufactured in a Country may be excluded if:

- (a) as a matter of law or official regulation, the Government of Uganda prohibits commercial relations with that Country, provided that the Government of Uganda is satisfied that such exclusion does not preclude effective competition for the supply of the Goods or Works required, or
- (b) by an Act of Compliance with a Decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, the Country prohibits any import of goods from that Country or any payments to persons or entities in that Country.

¹⁵

A Bidder, and all parties constituting the Bidder including sub-contractors, shall not have a conflict of interest. All Bidders found to have a conflict of interest shall be disqualified. A Bidder may be considered to have a conflict of interest with one or more parties in this bidding process, if they:

- (a) have controlling shareholders in common; or
- (b) receive or have received any direct or indirect subsidy from any of them; or
- (c) have the same legal representative for purposes of this bid; or
- (d) have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the bid of another Bidder, or influence the decisions of the Employer regarding this bidding process; or
- (e) submit more than one bid in this bidding process. However, this does not limit the participation of subcontractors in more than one bid, or as Bidders and subcontractors simultaneously; or

1.3	Eligibility	Not having been declared ineligible by the World Bank	Must meet requirement	Must meet requirement	Must meet requirement	N/A	A Signed Declaration that the bidder has not been declared ineligible by the World Bank
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(f) is associated, or has been associated in the past, directly or indirectly, with the consultant or any other entity that has prepared the design, specifications, and other documents for the Project or being proposed as Project Manager for the Contract. A firm that has been engaged by the Employer to provide consulting services, and any of its affiliates, shall not be eligible to bid.

Financial Situation and Performance

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
2.1	Financial Capabilities	(i) The Applicant shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to meet the cash flow requirements estimated as USD \$ 100,000 (<i>one hundred and fifty thousand</i>) for the subject contract(s) net of the Applicants other commitments. <i>[In case the contracts are to be procured as individual contracts under a slice and package (multiple contracts) state the cash flow requirement to qualify for individual and multiple contracts.]</i>	Must meet requirement	Must meet requirement	N/A	N/A	The bidder should specify proposed sources of financing, such as liquid assets, unencumbered real assets, lines of credit, and other financial means, net of current commitments, available to meet the total construction cash flow demands of the subject contract.
		(ii) The Applicant shall also demonstrate, to the satisfaction of Cardno, that it has adequate sources of finance to meet the cash flow requirements on contracts currently in progress and for future contract commitments.	Must meet requirement	Must meet requirement	N/A	N/A	

Experience

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
3.1	General Experience	Experience under similar contract, i.e. for the provision of Environmental and Social Impact Assessment and Resettlement Action Plans in Low Income Countries or in Low or High Middle Income countries(as classified by the World Bank) in the role of prime contractor, JV member, or subcontractor, for at least the last 3 years, starting 1 st January 2018.	Must meet requirement	Must meet requirement	N/A	Must meet requirement	Project Reference
3.2	Specific Experience	1. ESIA and RAP Experience in 4 (four) ESIA's of at least USD 100,000 in the last 5 years (starting from 1 st January 2015), at least 2 (two) of which are demonstrated to have had major and complex components on RAP.	Must meet requirement	Must meet requirement	N/A	N/A	Project Reference
		2. Eastern and Southern Africa experience in urban areas Experience in conducting at least 2 (two) ESIA with a major RAP component in the East (preferable in Uganda) or Southern Africa Region urban areas.	Ditto	Ditto	N/A	N/A	
		3. Programme Management					

Criteria			Single Entity Requirements	Joint Venture Requirements			Documentation
No.	Subject	Requirement		All Members Combined	Each Member	One Member	Submission Requirements
		capabilities Experience in setting up project offices in East Africa/ EAC region (preferable in Uganda) – at least 2 (two) examples in the last 3 years starting from 1 st January 2017.	Must meet requirement	Must meet requirement	N/A	N/A	

Project Reference template

Ref no	Project title							
Name of legal entity	Country	Overall contract value (USD) ¹⁶	Proportion carried out by legal entity (%)	No of staff provided	Name of client	Origin of funding	Dates (start/end) ¹⁷	Name of consortium members, if any
...
Detailed description of project						Type of services provided, including, if applicable, the services and corresponding amounts indicated in the Contract Notice's selection criteria		
...						...		

¹⁶ The effect of inflation will not be taken into account.

¹⁷ If the reference contract is only partially completed, please quote the percentage and value which has been completed.

Annex 3: Terms and Conditions of the procurement procedure

1. Period during which proposals are binding

Bidders are bound by their proposals for 90 days after the deadline for submission or until they have been notified of non-award. In exceptional cases, before the period of validity expires, the Contracting Authority may ask bidders to extend the period for a specific number of days, which may not exceed 40.

The selected bidder must maintain its proposal for a further 60 days. A further period of 60 days is added to the validity period irrespective of the date of notification.

2. Additional information before the deadline for submitting proposals

If the Contracting Authority, either on its own initiative or in response to a request from an interested bidder, provides additional information on the procurement procedure, it must send, at the same time, such information in writing to all other short listed/invited bidders who have registered their interest in the procurement opportunity.

Bidders may submit questions in writing to the following e-mail address: procurement@ugandacig.com with copy to dorothy.nakimuli@ugandacig.com.

Bidders are not permitted to contact or meet with the Contracting Authority, except via the given contact details above, nor are they permitted to contact or meet with any representative of the beneficiary government, Uganda, with regards to this procurement procedure. Any bidder seeking to arrange individual meetings with the Contracting Authority and/or the government of the beneficiary country concerning this contract during the procurement period may be excluded from the procurement procedure.

Any clarification of the procurement procedure will be communicated simultaneously in writing to all short listed/invited bidders who have registered their interest in the procurement opportunity.

3. Submission of proposals

Proposals must be submitted electronically before the date and time indicated above. They must include the documents specified in section A above, in PDF format and be sent electronically to:

Cardno Emerging Markets (UK) Ltd

e-mail address: procurement@ugandacig.com with copy to dorothy.nakimuli@ugandacig.com

Proposals submitted by any other means will not be considered. Electronic technical and financial offers should be submitted as separate PDF files. Note that the maximum file size our server can take for each e-mail is 10 MB. Any e-mail with file sizes above 10 MB may be rejected automatically by our server.

Any infringement of these rules may lead to rejection of the proposal.

The file name should provide the following information:

- a) the reference code of the procurement procedure (i.e. **insert reference**)
- b) the name of the bidder
- c) clearly state “Technical Offer” or “Financial Offer”

For example:

Insert reference _Bidder Name_ Technical Offer

Insert reference _Bidder Name_Financial Offer

4. Amending or withdrawing proposals

Bidders may amend or withdraw their proposals by written notification prior to the deadline for submitting proposals. Proposals may not be amended after this deadline.

5. Costs for preparing proposals

No costs incurred by the bidder in preparing and submitting the proposal are reimbursable. All such costs must be borne by the bidder, including the cost of site visits and interviewing proposed experts, if applicable.

6. Ownership of proposals

The Contracting Authority retains ownership of all proposals received under this procurement procedure. Consequently, bidders do not have the right to have their proposals returned to them.

7. Evaluation of proposals

7.1. Evaluation of technical offers

The quality of each technical offer will be evaluated in accordance with the award criteria and the weighting detailed in Section B above. The award criteria will be examined in accordance with the requirements indicated in the Terms of Reference.

The evaluation of the technical offers will follow the procedures set out in Section 10.3.10 of the Procurement Procedures and Guidelines (available upon request as indicated above).

7.1.1. Interviews

Telephone interview (or equivalent):

The Evaluation Committee may interview the key experts proposed in the technically compliant proposals, after having written provisional conclusions but before concluding the technical evaluation.

The interview shall be conducted by telephone and the date and time of these interviews will be confirmed or notified to the bidder at least seven days in advance. If a bidder is unable to participate in an interview by force majeure, a mutually convenient alternative date and time is arranged with the bidder. If the bidder is unable to participate in this second scheduled time, its proposal will be eliminated from the evaluation process.

7.2. Evaluation of financial offers

Upon completion of the technical evaluation, the files containing the financial offers for proposals that were considered by the Evaluation Panel to be technically suitable will be opened.

7.3. Choice of selected bidder

The best value for money is established by weighing technical quality against price on an 80/20 basis.

In making the final choice of selected bidder the Contracting Authority reserves the right to take into account in the assessment of proposals the past performance of the Bidder or any proposed personnel contained in proposals.

7.4. Due Diligence

The Contracting Authority reserves the right to undertake reasonable due diligence on the selected bidder. Final award may be subject to satisfactory completion of the due diligence process.

As part of the due diligence process, the preferred bidder may be expected to submit additional supporting documentation, including but not limited to: Company registration certificate, tax clearance certificate, most recent audited financial reports. Bidders are not required to submit these during the proposal stage.

Lead bidders are expected to conduct their own due diligence of their consortium partners and subcontractors and the Contracting Authority reserves the right to request evidence of this.

7.5. Negotiations

The Contracting Authority may invite the selected bidder to negotiations.

Negotiations shall include discussions of the TOR, the methodology, staffing, inputs by the Contracting Authority and terms and conditions of the contract. These discussions shall not substantially alter the original TOR or the terms of the contract, lest the procurement process be invalidated. The final TOR and the agreed methodology shall be incorporated into the “Terms of Reference,” which shall form part of the contract.

As payments under Fixed-Price Contracts are based on work done and delivery of outputs (or products), the offered price shall include all costs (staff time, overheads, travel, hotel, software and hardware etc.).

In the case of Time-Based Contracts, payment is based on inputs (staff time and reimbursable costs) and the offered price shall include staff rates and details of reimbursable costs.

The Contracting Authority reserves the right to negotiate Price or elements of Price in some circumstances, including, but not limited to, where:

- a) staff rates offered are much higher than rates typically charged by consultants in similar circumstances for similar contracts;
- b) incidental expenditure items are at higher rates than typically charged, or are outside FCDO and/or CIG Uganda standards;
- c) number of units are in excess of those that are considered reasonable for the completion of the project; and
- d) it is considered necessary to ensure value for money for FCDO.

7.6. Confidentiality

The entire evaluation procedure is confidential, subject to the Contracting Authority’s legislation on access to documents. The Evaluation Committee’s decisions are collective, and its deliberations are held in closed session. The members of the Evaluation Committee are bound to confidentiality. The evaluation reports and written records are for official use only and may not be communicated neither to the bidders nor to any party other than the Contracting Authority, FCDO, and their Auditors.

8. Ethics clauses / Corruptive practices

- a) Any attempt by a bidder to obtain confidential information, enter into unlawful agreements with competitors or influence the Evaluation Committee or the Contracting Authority during the process of examining, clarifying, evaluating and comparing proposals will lead to the rejection of its proposal and may result in exclusion from future procurement procedures and contracts.
- b) The bidder must not be affected by any conflict of interest and must have no equivalent relation in that respect with other bidders or parties involved in the project.
- c) Civil servants or other staff of the public administration of the beneficiary country, Uganda, regardless of their administrative situation, shall not be proposed as experts by bidders, unless the prior approval of the Contracting Authority has been obtained.
- d) FCDO reserves the right to suspend or cancel project financing if corrupt practices of any kind are discovered at any stage of the award process or during the execution of a contract and if the Contracting Authority fails to take all appropriate measures to remedy the situation. For the purposes of this provision, 'corrupt practices' are the offer of a bribe, gift, gratuity or commission to any person as an inducement or reward for performing or refraining from any act relating to the award of a contract or execution of a contract already concluded with the Contracting Authority.
- e) Proposals will be rejected, or contracts terminated if it emerges that the award or execution of a contract has given rise to unusual commercial expenses. Such unusual commercial expenses are commissions not mentioned in the main contract or not stemming from a properly concluded contract referring to the main contract, commissions not paid in return for any actual and legitimate service, commissions remitted to a tax haven, commissions paid to a payee who is not clearly identified or commissions paid to a company which has every appearance of being a front company.

Contractors found to have paid unusual commercial expenses on projects funded by the Contracting Authority on behalf of FCDO are liable, depending on the seriousness of the facts observed, to have their contracts terminated or to be permanently excluded from receiving other FCDO funds.
- f) The Contracting Authority reserves the right to suspend or cancel the procedure, where the award procedure proves to have been subject to substantial errors, irregularities or fraud. If substantial errors, irregularities or fraud are discovered after the award of the Contract, the Contracting Authority may refrain from concluding the Contract.

9. Signature of contract(s)

9.1. Notification of award

The successful bidder will be informed in writing that its proposal has been accepted.

The successful bidder shall then confirm availability or unavailability of their key-experts within 5 days from the date of the notification of award.

In case of unavailability the bidder will be allowed to propose replacement expert(s). The successful bidder shall give due justification for the exchange of expert, but the acceptance will not be limited

to specific cases. Several replacement experts may be proposed but only one time-period of 20 days from the date of the notification of award will be offered. The replacement expert(s) cannot be an expert proposed by another bidder in the same call for proposals.

The replacement expert's total score must be at least as high as the scores of the expert proposed in the proposal. It must be emphasised that the minimum requirements for each evaluation criteria must be met by the replacement expert.

If replacement experts are not proposed within the 20 days' delay or if the replacement experts are not sufficiently qualified, or that the proposal of the replacement expert amends the award conditions which took place, the Contracting Authority may decide to award the contract to the second best technically compliant bidder (also giving them a chance to replace an expert should he/she not be available).

Should the Contracting Authority learn that a bidder has confirmed the availability of a key expert and signed the contract although the bidder has deliberately concealed the fact that the expert is unavailable from the date specified in the proposal dossier for the start of the assignment, the Contracting Authority may decide to terminate the contract.

The successful bidder may be requested provide documentary proof or statements required under the law of the country in which the company (or each of the companies for consortia) is established, to show that it is not in any of the exclusion situations listed in section 5.2. of the Procurement Procedures and Guidelines. This evidence, documents or statements must be dated, no more than 1 year before the date of submission of the proposal. In addition, a statement must be furnished stating that the situations described in these documents have not changed since then.

If the nature of the successful bidder's entity is such that it cannot fall into the exclusion situations and/or cannot provide the documents indicated above (for instance, national public administrations and international organisations), the successful bidder is requested to provide a declaration explaining this situation.

The Contracting Authority may waive the obligation of any candidate or bidder to submit the documentary evidence referred to above if such evidence has already been submitted for the purpose of another procurement procedure, provided that the issue date of the documents does not exceed one year and that they are still valid. In this case, the candidate or bidder must declare on his/her honour that the documentary evidence has already been provided in a previous procurement procedure and confirm that his/her situation has not changed.

If the documentary evidence submitted is not written in English, a translation into English must be attached. Documentary proof or statements may be in original or copy. If copies are submitted, the originals must be available to send to the Contracting Authority upon request.

Bidders are reminded that the provision of false information in this procurement procedure may lead to their exclusion from participation in all procurement and call for procurement procedures financed by CIG Uganda.

9.2. Signature of the contract(s)

Within 30 days of issuance of the contract, the selected bidder shall sign and date the contract and return it to the Contracting Authority.

Failure of the selected bidder to comply with this requirement may constitute grounds for annulling the decision to award the contract. In this event, the Contracting Authority may award the proposal to another bidder or cancel the procurement procedure.

The other bidders will, at the same time as the notification of award is submitted, be informed that their proposals were not accepted, by means of a standard letter, including an indication of the relative weaknesses of their proposal by way of a comparative table of the scores for the winning proposal and the unsuccessful proposal. The second-best bidder is informed of the notification of award to the successful bidder with the reservation of the possibility to receive a notification of award in case of inability to sign the contract with the first ranked bidder. The validity of the offer of the second-best bidder will be kept.

The Contracting Authority will simultaneously inform the remaining unsuccessful bidders and the consequence of these letters will be that the validity of their offers must not be retained.

10. Cancellation of the procurement procedure

In the event of cancellation of the procurement procedure, the Contracting Authority will notify bidders of the cancellation.

Cancellation may occur where:

- the procurement procedure has been unsuccessful, i.e., no qualitatively or financially worthwhile proposal has been received or there is no valid response at all;
- there are fundamental changes to the economic or technical data of the project;
- exceptional circumstances or force majeure render normal performance of the contract impossible;
- all technically compliant proposals exceed the financial resources available;
- there have been irregularities in the procedure, in particular if they have prevented fair competition;
- the award is not in compliance with sound financial management, i.e. does not respect the principles of value for money, efficiency and effectiveness (e.g. the price proposed by the bidder to whom the contract is to be awarded is objectively disproportionate with regard to the price of the market).

In no event shall the Contracting Authority be liable for any damages whatsoever including, without limitation, damages for loss of profits, in any way connected with the cancellation of a procurement procedure, even if the Contracting Authority has been advised of the possibility of damages. The publication of a procurement notice does not commit the Contracting Authority to implement the programme or project announced.