

Compliance Audit checklist - Review of E&S Implementation in T&I Bank-financed Works Contracts where China Railway Seven Group (CRSG) is involved

Project Name	KAMPALA INSTITUTIONAL AND INFRASTRUCTURE DEVELOPMENT PROJECT (KIIDP2)		
Project Number	P133590		
Country	UGANDA		
Contract Name	CONTRACT FOR ROAD UPGRADING AND JUNCTION IMPROVEMENT WORKS, BATCH 1 A, CIVIL WORKS COMPLETION DATE: 6 TH MARCH 2017, END OF DEFECTS LIABILITY PERIOD, 6 TH MARCH 2017		
Contract Duration and completion date	18 MONTHS CONSTRUCTION, 12 MONTHS DEFECTS LIABILITY, 2017		
Implementing Agency	KAMPALA CAPITAL CITY AUTHORITY		
Review Date	MARCH 2017		
No. of Ongoing Contracts with CRSG	1		
Contract Status (Open/Closed)	OPEN, HANDED OVER 3 OF SITES AND CONTRACTOR IS UNDERTAKING RELOCATION OF UTILITIES		
No	Measure	Current Status (Please elaborate rather than a "Yes/No"- approach)	Means of Verification
Environmental and Social Risks and Mitigation Measures			
1.	Have the E&S risks identified during appraisal been taken into account in project design?	<p>Yes, KCCA, has mainstreamed management of social risks that are managed in the Directorate of Gender Community Services and Production and Environmental aspects risks are handled in the Directorate of Public Health and Environment.</p> <p>In addition, specialists with respective technical competencies were recruited and are resident in the respective directorates</p> <p>Further, environmental and social risk management is guided by the environmental and social management framework and resettlement policy framework</p> <ul style="list-style-type: none"> • Enforcing census cut off dates • Delays in Compensation • Grievance Handling 	<ul style="list-style-type: none"> • Recruitment documentation available • Environment and social management framework disclosed • Resettlement policy framework disclosed <ul style="list-style-type: none"> ○ Notice of Cut off Date ○ Grievance management committees constituted at division and authority level
2.	Has an ESIA and ESMP been prepared by the Employer? Have they been reviewed by the Bank? Are the management/mitigation measures adequate and commensurate to the E&S risks of the project and its operating environment?	<p>Yes</p> <p>The ESIA report for Batch 1 roads, links and junctions was reviewed and approved by the Bank. ESIA reports for Batch II roads Links and Junctions as well as Priority</p>	<p>Approved ESIA report in February 2016</p> <p>Approved Contractor's ESMP by World Bank regional office on 11th February 2016</p> <p>Confirmation of receipt of the</p>

		Drainage Improvement were submitted to the Bank for further review and approval	ESIA report by the Bank
3.	Have the costs associated with the implementation of the ESMP been fully assessed?	Assessment on-going and areas that have been catered for in the contract by allocating provisional sum to include: Traffic management plan, HIV/AIDS, Environment and waste management, decommissioning plan	BOQs
4.	Is there a requirement for the Contractor to provide its own ESMP? If so, when is the Contractor required to present it? Has the Contractor's ESMP been reviewed by the Bank and approved by the Employer according to the requirement?	Yes, C-ESMP was reviewed and approved by KCCA, and was further approved by the World Bank in country office. The same report was forwarded to the regional safeguard's office for further review and was also approved.	Emails acknowledging receipt and subsequent submissions
5.	Is the ESMP an integral part of the contractors contract with clear activities and costs? Are those cost fully funded? Are they provisional sums or budgeted activities?	They are provisional sums but the HIV/AIDS managed is a budget sum	Contract BOQ's
Implementing Agency Capacity (Employer)			
1.	Does the Employer have an Environmental Unit – if yes, how many full-time technical staff are employed? Are the skills adequate to monitor compliance?	Yes, with 5 full time staff with adequate skills to monitor compliance.	Letters of engagement
2.	Does the Employer have a Social Unit – if yes, how many full-time technical staff are employed? Are the skills adequate to monitor compliance?	Yes, KCCA has a directorate of gender, community services and production that is tasked to manage social risks. The directorate has over 30 full time staff	Letters of engagement
3.	Has the institutional capacity of the Employer suffered any changes since project preparation that would merit additional actions to ensure they remain capable of managing the contracts?	The structure remained the same but capacity has been enhanced through recruitment of specialists to handle specific aspects.	Letters of engagement
4.	Is there a full-time Employer's Representative (ER) on site at all times with backup team including full time Social Specialist and Environmental Specialist? If not frequency of visits?	The supervision consultant (KECC) has an environment management specialist who handles environmental and social risk but not full time. However, engagements with the World Bank are working towards bringing on an environmental assistant. Further the engineering officers that have just come on board will be equipped skills and tools to monitor environmental and social aspects.	Client's approval for the Consultant's environmentalist Letters of engagement with the consultant Letters of engagement for the engineering officers
5.	Years of experience of the ER?	The Environmental Specialist has over 10 years of practical	CV

		experience	
6.	Does the Employer have consultation mechanisms/ processes/procedures in place?	Yes, community engagement plan and feedback systems	Grievance management committees Engagement Reports
Supervision Consultant			
1.	Name of Supervision Consulting Firm (SC)	Korea Engineering Consultants Corporation	Contract
2.	Years of experience of the SC Team Leader (the Resident Engineer - RE)		CV
3.	Does the SC TOR require oversight over the implementation of the ESMP and other Safeguards Instruments agreed upon during preparation? (RAP, ARAP, IPDP, etc), including HIV/AIDS awareness implementation, labor and other contractual obligations?	Yes, the supervising consultant's terms of reference has the specific roles that he has to fulfill in relation to issues identified	Contract
4.	If yes to the above, does the SC contract provide sufficient resources (financial and human) to do so? Please list key safeguard specialists on SC team.	As per terms of reference in the supervising consultant's contract adequate human resources were catered for, we have however noted there is need to provide further supervision which provides for a full time environment management specialist or an environmental assistant, KCCA has opted for the latter Specialist: Dr. Rose Muggide	<ul style="list-style-type: none"> Contract Request to the bank for additional staff
5.	Have there been any requests to change the SC key staff during project implementation?	Yes, Mr. Kagoda who was the environment specialist became too busy to support the team	<ul style="list-style-type: none"> Request and approval for replacement of staff
6.	Are there any signs weakness or poor performance on the part of the SC that need to be raised to the attention of the Employer?	None so far	<ul style="list-style-type: none"> No record of non performance
7.	Has the SC ensured that the Contractor is aware of its obligations, including those on labor, social and environmental issues?	Yes, the consultant has written to the contractor on these matters	<ul style="list-style-type: none"> Communication
Implementation: Compliance with Key Labor, Social, Environmental Obligations			
1.	Do the E&S risks identified during appraisal remain current? Have any new risks emerged during implementation that may require an amendment of the safeguards instruments?	No, we have carried out a detailed risk identification and assessment and found that there are new risks that need to be managed. These have been taken care of in the amended ESIA and RAP report and contractor's ESMP	<ul style="list-style-type: none"> Amended documentation
2.	Is ESMP being implemented as per the country's social, labor and environmental laws?	Yes, the ESMP is cognizant the country's relevant laws and has catered for them	<ul style="list-style-type: none"> ESMP and monitoring checklist

3.	If required, are any of the safeguards instruments (RAP, ARAP, IPDP, etc) completed/approved? Was the completion Report cleared? Provide dates of submission and clearance and any sequencing of works to accommodate clearance process.	Yes, the RAP report was approved by the CGV on 5 th October 2015 and the World Bank on 27 th January 2016	<ul style="list-style-type: none"> • Communication
Land acquisition and compensation			
4.	Are guidelines for compensation following land acquisition or resettlement up-to-date?	Yes	<ul style="list-style-type: none"> • Guidance Documentation • Resettlement Action Plan and Resettlement Policy Framework
5.	Has an escrow account been established for absentee landowners, dispute cases, or unclear cases?	Yes, this was created to cater for compensation of affected persons, with grievances raising the money will remain on the account until resolved	<ul style="list-style-type: none"> • Escrow account • An additional escrow account is being set up of PAPs with long standing issues including encumbrances
6.	Is there any additional unforeseen expropriation that may require a RAP amendment?	Yes	<ul style="list-style-type: none"> • Survey reports and grievances lodged • Design review reports • Supplementary Budget
Citizen and community engagement			
7.	Has a communication and community engagement plan been developed?	Yes, KCCA is developing one, at institutional level, and contractor level engagements have already engaged community leaders and institutions.	<ul style="list-style-type: none"> • Draft
8.	Are any Citizen engagement activities under implementation?	Yes	<ul style="list-style-type: none"> • SMS, radio and media communications • Banners on the project sites • Meetings with the local leadership • Grievances received
9.	Are Contractor/SC/ER combined meetings with affected communities undertaken, and how regularly?	Contractor has made contact with local leadership but currently undertaking a baseline which is intended to develop a research based communication plan	<ul style="list-style-type: none"> • Data collection Tool • Progress Reports and Minutes of Meetings
10.	Percentage of staff recruited from the Project Impact Area vs. brought from outside.	Local personnel – 89%, 11%	<ul style="list-style-type: none"> • November – December progress report
11.	Has a policy been instituted favoring the hiring of local community members for semi-skilled and unskilled labor been instituted?	Yes	<ul style="list-style-type: none"> • Contractor's progress reports
12.	Is there a Grievance Redress System in place?	KCCA has a grievance management mechanism and there is one at the workers level that is being reviewed	<ul style="list-style-type: none"> • Grievance handling log • Grievance database
13.	Has access to the road/project been ensured for properties and public institutions?	Yes, in plan	<ul style="list-style-type: none"> • Construction plan • ESMP
Gender and Prevention of Sexual and Gender Based Violence			
14.	Are any Gender-based activities and/or data collection in place?	Contractor preparing to undertake baseline studies	<ul style="list-style-type: none"> • Tools for data collection • Situational report

15.	Are there adequate mechanisms in place to protect local vulnerable population (especially women/minors) from risks associated with influx of workers (harassment, underage sex)	KCCA gender and labor officers as well as probation officers at division are available for support.	<ul style="list-style-type: none"> • Mandates of Gender Directorate, Kawempe Division • Grievance handling committee at camp level
16.	Are there any minors employed by the Contractor?	None	<ul style="list-style-type: none"> • CRSG Progress reports • Recruitment Policy
17.	Has a code of conduct been established for contractor employees and contract workers, acknowledging a zero-tolerance policy towards child labor and child sexual exploitation (with contractor/RE/implementing agency held accountable for enforcement)?	Yes but not sufficient a review is being undertaken by a team to ensure that the contractor complies	<ul style="list-style-type: none"> • CRSG Human Resources Manual • Minutes of meeting • Findings of the planned review by Labor team and committee set up to assess the Contractor's compliance
18.	Are HIV/AIDS Awareness/STI mitigation measures in place?	Yes	<ul style="list-style-type: none"> • CRSG's HPI contractor in place to undertake • Progress Reports
19.	Who is the HIV/AIDS service provider? Are they registered with the National Aids Commission?	HPI, recommended by TASO	HPI technical proposal
20.	Does the HIV/AIDS awareness program include provision for special targeting of girls and young women protection in sensitization, awareness campaigns, and in designing measures that mitigate against any risk factors for this highly vulnerable group? Does it include special sensitization and targeting of sex workers?	Yes	<ul style="list-style-type: none"> • HPI technical proposal • Progress reports
Occupational Health, Safety and Accommodation			
21.	Is Contractor's Health and Safety Management Plan in place and approved by ER, and implementation documented in the MPR?	Yes, plan approved	OHS plan
21.	Does all the Contractor's equipment comply with safety standards?	Yes	Certificate from Ministry of Gender, Labor and Social Development
23.	Are the Contractor's staff wearing issued personal protection equipment?	Yes	Progress report from supervising consultant
24.	Does the Contractor comply with local working hours and site safety laws for their workers?	Yes	NEMA approval for working hours
25.	Are emergency contact numbers for Contractor/ER shown in conspicuous place?	Yes	C-ESMP
26.	Are all of the Contractor's staff provided with site accommodation? If so, please describe condition of site accommodation and amenities provided?	Yes but only international staff, local staff are given an allowance	Contractor's Progress report
27.	What is the distance of contractor's base camp vis-à-vis towns, villages, centers of population and environmentally sensitive areas?	20 meters	Contractor's ESMP
28.	Do the Contractor's employee records and welfare stipulate the employees' rights and the Contractor's obligations including payment of overtime and process of dismissal (later amended revising the contract agreements)?	Yes	Draft contract Human resources manual Findings of committee assessing compliance gaps to site on 2 nd August 2016
29.	Do out-of-area workers receive any allowances additional to their salary/wages? If so, please describe.	Yes	Contracts

Road Safety			
301.	How has road safety along the project site been ensured?	Traffic management plan (including flagmen, signage etc.)	Progress report from CRSG
31.	If required, is the Contractor's Traffic Management Plan in place, cleared by RE, and being implemented?	Yes	Instruction from the Consultant
32.	Is an accident log detailing accidents associated with project activities being maintained, with follow up actions tracked?	Yes, one accident report has been reported	Accident report
Environmental Impact			
33.	Are all environmental licenses in place?	Yes	<ul style="list-style-type: none"> • Certificate of EIA approval • Water abstraction permit • Registration of work place for workers camp • Certificate of EIA approval for the workers' camp • Wetland resource user permit •
34.	Is special care in management and protection being take in protecting fragile eco-systems, such as forests and wetlands?	There are no forest ecosystems but a wetland has been demarcated for protection and a compliance agreement between CRSG and wetlands management department concerning restoration	Compliance agreement
Quarries			
35.	Do all borrow pits and quarries have required licenses and in compliance with the environmental conditions?	CRSG procured materials from commercial sources that An environmental study was conducted by the owner and is awaiting approvals from NEMA. In consistency with the C-ESMP, environmental screening of the alternative borrow pit was done an approval granted with conditions by the environmental specialist. A certificate for EIA approval for the quarry was obtained and an annual environmental audit for the same was found to be ongoing	Submission letter to NEMA
36.	Are any quarry sites being operated in accordance with stipulated conditions and to ensure minimal impact on the vicinity (residents within 500m compensated and relocated, wet crushing, no night crushing, adequate warning before blasting, and decommissioning of all sites as per approval plans)?	No quarry site was opened by the Contractor. The Contractor procures materials from commercial quarry operators who have carried out Environmental Studies and audits for the quarry.	Site inspection notes
Waste Management			

37.	Are spoil and waste management practices being ensured, in line with the ESMP?	Yes, a waste management plan has been prepared and NEMA licensed waste handlers have been contracted by CRSG to transport waste to the waste disposal site	Waste Management Plan
Contract Reports and Instruments and Compliance			
1.	Does the Bank receive Monthly Progress Reports (MPR) from the RE on schedule?	Yes, slightly outside schedule	Submissions to the World Bank
2.	Does the project require Annual Social/Environmental Audits? If yes, are they being complied with?	Yes, we are planning to carry them out	Conditions for approval for Environmental and social impact assessment
3.	Does the MPR include detailed information about the implementation of the ESMP by the contractor? Provide dates of submission and clearance and any sequencing of works to accommodate clearance process.	Yes	Submissions to the World Bank