

# Summary of Environmental, Social, Health and Safety (ESHS) Enhancements

## Standard Procurement Documents (SPDs) & Standard Bidding Documents (SBDs)

Note: The following ESHS enhancements shall be applicable for all new works contracts for which the relevant SBD/SPD listed below are used. “New contracts” in this context means contracts for which the bidding documents/request for proposal documents have not yet been issued.

## Summary of Environmental, Social, Health and Safety (ESHS) Enhancements

ESHS Enhancements have been made to the following procurement documents:

### Standard Procurement Documents (SPD) Works

1. Prequalification Document - Works
2. Request for Bids - After Prequalification
3. Request for Bids - Without Prequalification
4. Request for Bids - Small Works One-Envelope Bidding Process
5. Request for Bids - Small Works Two-Envelope Bidding Process
6. Request for Bids - Output and Performance-Based Road Contracts

### Standard Bidding Documents (SBD) Works

7. Prequalification Document - Works
8. SBD Small Works
9. SBD Works
10. SBD Output and Performance-Based Road Contracts

### Consulting Services

11. Request for Proposals (RFP) Consulting Services 2015 (for supervising engineer)
12. RFP Consulting Services 2016 (for supervising engineer)

### Summary of key enhancements

The following table summarizes the key enhancements that have been reflected in the SBDs and SPDs listed above.

#	Subject	Enhancement/s
1	<b>Declaration of contract suspension or termination</b>	<ul style="list-style-type: none"> <li>• Applicants/Bidders/Proposers are now required to make a declaration listing any civil works contracts that have been suspended or terminated by an employer and/or performance security called by an employer, for ESHS reason/s. This information will be used to inform enhanced due diligence.</li> </ul>
2	<b>Strengthened specifications/ employer's requirements</b>	<ul style="list-style-type: none"> <li>• The Employer is required to set out clearly the minimum expectations of ESHS performance from the outset, to ensure that all Bidders/Proposers are aware of the ESHS requirements.</li> </ul>
3	<b>Workers' ESHS Code of Conduct</b>	<ul style="list-style-type: none"> <li>• Bidders/Proposers are now required to submit, as part of their Bid/Proposal, an ESHS Code of Conduct that will apply to their employees and sub-contractors, and details of how it will be enforced.</li> <li>• The suitability of the Code of Conduct can be assessed and discussed as part of the Bid/Proposal evaluation and negotiations.</li> <li>• The successful Bidder/Proposer is required to implement the agreed Code of Conduct upon contract award.</li> </ul>

#	Subject	Enhancement/s
4	<b>Contractor’s ESHS Management Strategy and Implementation Plans</b>	<ul style="list-style-type: none"> <li>• Bidders/Proposers are now required to submit, as part of their Bid/Proposal, ESHS Management Strategies and Implementation Plans required to manage the key ESHS risks of the project.</li> <li>• The suitability of these strategies and plans can be assessed as part of the Bid/Proposal evaluation, and discussed during pre-contract discussions, as appropriate.</li> <li>• These strategies and plans will become part of the Contractor’s Environmental and Social Management Plan (C-ESMP).</li> <li>• Particular Conditions of Contract now include provisions relating to the (C-ESMP), e.g.: <ul style="list-style-type: none"> <li>- a requirement that the Contractor shall not commence any Works unless the Engineer is satisfied that appropriate measures are in place to address ESHS risks and impacts;</li> <li>- at a minimum, the Contractor shall apply the plans and ESHS Code of Conduct, submitted as part of the Bid/Proposal, from contract award onwards.</li> </ul> </li> </ul>
5	<b>ESHS Performance Security</b>	<ul style="list-style-type: none"> <li>• The successful Bidder/Proposer is now required to provide, in addition to the standard Performance Security, an ESHS Performance Security (the sum of the two “demand” bank guarantees, normally not to exceed 10% of the contract price).</li> <li>• The ESHS performance security is in the form of a “demand” bank guarantee.”</li> <li>• The application of this provision is at the Borrower’s discretion. It is recommended for contracts where there is significant ESHS risks as advised by Social/Environmental specialist/s.</li> </ul>
6	<b>ESHS Provisional Sum</b>	<ul style="list-style-type: none"> <li>• An additional provisional sum, specifically for ESHS outcomes, may be included in the Request for Bids/Proposals documents, and eventual contract. Normally, the payment for the delivery of ESHS requirements shall be a subsidiary obligation of the Contractor covered under the prices quoted for other Bill of Quantity/price items.</li> </ul>
7	<b>Key ESHS Personnel</b>	<ul style="list-style-type: none"> <li>• Bidders/Proposers are now required to demonstrate that they have suitably qualified ESHS specialists among their Key Personnel.</li> <li>• Key Personnel must be named in the Bid/Proposal, and in the contract.</li> <li>• The quality of the proposed Key Personnel (including ESHS specialists) will be assessed during the evaluation of Bids/Proposals.</li> </ul>

#	Subject	Enhancement/s
		<ul style="list-style-type: none"> <li>• The Contractor shall require the Employer’s consent to substitute or replace any Key Personnel.</li> <li>• The Engineer may require the removal of Personnel if they undertake behaviour which breaches the ESHS Code of Conduct, e.g. spreading communicable diseases, sexual harassment, gender-based violence, illicit activity, or crime.</li> </ul>
8	<b>ESHS Reporting</b>	<ul style="list-style-type: none"> <li>• Contracts now contain specific ESHS reporting requirements. These relate to: <ul style="list-style-type: none"> <li>- ESHS incidents requiring immediate notification</li> <li>- ESHS metrics in regular progress reports.</li> </ul> </li> </ul>
9	<b>ESHS considerations during contract variation</b>	<ul style="list-style-type: none"> <li>• As part of variation procedures, the Contractor shall provide relevant ESHS information to enable the Engineer to evaluate the ESHS risks and impacts.</li> </ul>
10	<b>Ability to withhold interim payment</b>	<ul style="list-style-type: none"> <li>• Contracts now contain provisions allowing interim payments to be withheld where there is a failure to perform an ESHS obligation.</li> </ul>
11	<b>ESHS considerations included in civil works Consulting Services</b>	<ul style="list-style-type: none"> <li>• The standard Request for Proposals for consulting services now include ESHS considerations to apply to the supervision of civil works.</li> </ul>