TERMS OF REFERENCE FOR AN INDIVIDUAL CONSULTANT

HEALTH AND SAFETY SPECIALIST

1.0 INTRODUCTION

The Kingdom of Lesotho is a land-locked country by the Republic of South Africa (RSA) at a size of about 30,500 km² and a population of about 2 million. The country's fortunes are inherently tied to RSA, which provides Lesotho with access to global markets, its migrants with livelihoods, and influences its national currency, the Loti, which is pegged 1:1 to the South African Rand. The country is characterized by extremely mountainous terrain over approximately two thirds of its area, in which population density is relatively medium. The development of the country's transport infrastructure in the remote mountain regions (such as Thaba-Tseka), is part of the National Strategy to reduce poverty by promoting economic growth and improving access to socio-economic services such as Agriculture, education, health, social welfare, and administrative services. Improving access for major population centers to key border posts and supporting logistical infrastructure to develop productive sectors in lagging regions is a key strategic objective of the government as per the **National Strategic Development Plan II.**

Lesotho's growth and development are constrained by the untapped potential for regional integration with South Africa, and indirectly, other neighboring countries. The Southern Africa Tran-frontier Conservation Area (TFCA) treaty was founded on the realization that natural resources straddling boundaries between the Southern African Development Community (SADC) destinations are shared assets that contribute to regional integration, socio-economic development, and biodiversity conservation. As part of the treaty, Lesotho has identified the Maloti Drakensberg Trans-frontier Corridor (MDTC), which includes four road corridors covering the eastern portion of the country and including the proposed Katse to Thaba-Tseka road project (Corridor 3 of the MDTC), as critical to the SADC regional integration agenda. Further, the establishment of a "Bi-national Commission treaty" signed between the governments of Lesotho and South Africa on November 25, 2021, has identified several areas of cooperation including development of economic corridors, trade and logistics, border management, and implementation of MDTC.

Lesotho has nine border crossings open for commercial trade with South Africa, with three borders (Maseru Bridge, Maputsoe-Ficksburg, and Caledonspoort) operating 24 hours a day and with the Maseru Bridge crossing in the west and the Maputsoe-Ficksburg crossing in the northwest handling most of the activity. Trade routes to the east and south are constrained by

high mountains and undeveloped road infrastructure, and, thus, under the proposed project, the Katse to Thaba-Tseka road investment would close the missing link from the Thaba-Tseka district to the Maseru and Leribe districts, which are key economic and export hubs. Improved border infrastructure with harmonized digitally enabled joint border procedures with South Africa could minimize time and costs at the two main borders. Investment at the Qacha's Nek border, the only commercial border in the east, would provide improved access from eastern Lesotho to South African markets including the city of Matatiele, South Africa, which is only one hour from the border, compared to Maseru which is three hours away. This also provides another step in improving east-west regional integration and creation of a regional corridor with the Port of Durban.

The Lesotho Government has requested the International Development Association (IDA) through the World Bank for possible financing (in the form of a Loan), to assist the Government in achieving its objectives with this policy and strategy. The total original cost of the LITTL-P is estimated at US$80 million. Under the proposed LITTL Project, ***IDA will fund Upgrading of Katse to Thaba-Tseka Road corridor to paved standard and Spot improvements along the A1 Economic corridor(Maseru to Botha – Bothe) ; Regional Trade, Integration, and Logistics Services; Technical Assistance and Capacity building and Contingency Emergency Response Component***.

It is anticipated that LITTL-P will be completed over a period of ***five years*** and will include civil works involving A8 road upgrading and A1 spot improvements with Intersection improvements and bridge rehabilitation, Smart One Stop Boarder facilities at Maseru Bridge and Maputsoe-Ficksburg border crossings, and improvement of Qacha's Nek border facilities, Inspection and laboratory testing facilities and Climate controlled community-level horticulture packing and storage facilities (cold chain) , Technical Assistance and capacity building and Contingency Emergency Response Component. ***The project is expected to start in June 2024 and to be completed by 31st December 2029.***

2.0 PROJECT DEVELOPMENT OBJECTIVES

The overall Project Objective is to improve climate resilient regional connectivity on the Katse to Thaba-Tseka road corridor and reduce the costs of trade across selected commercial borders between Lesotho and South Africa. In particular to:-

a) Reduce Travelling time along the A8 corridor
b) Increase Road users benefits from climate resilient road infrastructure along the project corridor by amongst others; reducing vehicle operating costs
c) Reduce end-to-end border crossing time for commercial traders through implementation of smart border systems at Maseru Bridge and Maputsoe-Ficksburg crossings.

LITTL-P implementation will be through The Road Directorate (RD) of the Ministry of Public Works & Transport (MoPWT) which shall be responsible with the overall project coordination

and shall directly deal with management of components 1, part of 3 and 4 whilst Competitiveness and Financial Inclusion (CAFI) project of the Ministry of Trade, Industry & Business Development (MTIBD) shall manage component 2 and part of 3.

3.0. RESPONSIBILITIES OF THE HEALTH AND SAFETY SPECIALIST

The Health and Safety Specialist shall ensure the Project complies with the provisions of all health and safety related documents and guidelines required under the ESF and referred to the Environmental and Social Commitment Plan (ESCP), such as timely preparation and implementation of Health and Safety requirements set out in the Environmental and Social Impact Assessment, including Project Health and Safety Plan and Community Health and Safety Plan among others, overseeing and reviewing the Contractors Health and Safety Management plans, method statements, risks assessments and safe work procedures as may be relevant. The Health and Safety Specialist will be present full-time through project implementation and decommissioning phases.

3.1 Scope of Work

The Health and Safety Specialist shall report to the Manager Environment and Safety. The scope of services includes but is not limited to the following key activities for all the four components as detailed at Section 1:

a. Compiling regular reports on the status of risks assessments, contractor's compliance with health and safety requirements, status of incidents and deviations for the Project and compile any other special reports relating to specific issues relevant to the scope of works;

b. Ensure compliance with Labour Act 2024 as well as Occupational Health & Safety Act 2024 provisions and ratified International Conventions applicable in Lesotho; report any occupational accident and dangerous occurrences to the Labour Commissioner as prescribe in the law

c. Prepare claims for accident victims as per the Workman's Compensation Act 1977

d. Review contractor's monthly health and safety performance reports and compile a monthly project health and safety report to be submitted to Manager Environment and Safety;

e. The Health and Safety Specialist will be required to prepare Monthly, Quarterly and Annual Summary Reports on the compliance as per the requirements of the projects' Health and Safety Management Plan (HSMP), and the project Environmental and Social Commitment Plan (ESCP);

f. Ensure close coordination with Manager Environment and Safety;

g. Ensure that Occupational Health and Safety (OHS) requirements in accordance with Environmental and Social Impact Assessment (ESIA)/ Environmental and Social Management Plan (ESMP), World Bank General Environmental Health and Safety (EHS) Guidelines, ESS2 on Labor and Working Conditions and included in the Labor Management Procedures as applicable to the project, Labour Act 2024, ILO Guidelines

and other internationally accepted OHS requirements are incorporated in the Bidding Document and contractor's requirements for preparing and implementing OHS plans;

h. Provide support to build the capacity of Roads Directorate, and Contractors in assessing and managing health and safety risks, including through the development and delivery of OHS and Construction Health and Safety (CHS) capacity building activities and trainings. Also includes identifying training and capacity building needs of contractors on OHS- related issues, prepare capacity building strategy and implementation plan, within resources available under the projects;

i. Ensure that the Contractors abide by the OHS provisions in contracts, Environment and Social Management Framework (ESMF), ESIA/ ESMP during the execution of construction works;

j. Be responsible for the adequate preparation, review and implementation of contractors and sub-contractor's Occupational Health and Safety Plans, Incident investigation plans, Traffic Management Plan, Emergency Response Plan, firefighting plan, etc;

k. Assess and carry out inspections on site to determine hazardous situations/accident prone sites or activities and create, implement and enforce safety instructions that reduce the risk of accidents. S/he should be familiar with and determine which instructions are necessary for the job site and how to enforce them;

l. Ensure that fair working conditions are provided to workers through implementing following activities:

i. provide awareness-raising programs for workers at construction sites informing them about their opportunities, rights and duties;

ii. ensure that workers are fully aware of the insurance facilities provided under the contract and facilitate claims arising out of injuries, disabilities and death;

iii. provide training on OHS, community health and safety, environmental impacts and mitigation measures to the Contractors including contractors' workers;

iv. provide support in investigating and resolving worker-related complaints and grievances.

m. Prepare and update periodically the project plan on occupational health safety;

n. Providing technical support to suppliers and project workers and Roads Directorate personnel in effective planning, designing, and execution of all planned OHS and community health and safety related activities in subprojects;

o. Train and support Site Engineers on the application of OHS related standards and activities as well as CHS aspects;

p. Coordinate with Roads Directorate, contractors and sub-contractors to ensure that all construction works and procedures, are included in the Occupational Health and Safety Management plan;

q. Supervise and assure quality of data collection, provide OHS information to update the Construction Site Monitoring (CMS);

r. Work proactively with Manager Environment and Safety, Consultants, Contractor/Sub-Contractor to establish and maintain a system that promotes a culture of safe working practices across the project and create solutions to OHS/CHS problems;

s. Evaluate significance of hazards risks and determine proper disposal and management methods and conduct hazardous waste management studies in collaboration with the Manager Environment and Safety;

t. Undertake frequent visits to project sites /accompanying other team members and officials and help to identify and recommend remedial measures for enhancing health and safety performance of the project;

u. Carry out audits to evaluate the effectiveness of Health and Safety systems and procedures and identify and implement improvements;

v. Ensure that all Health & Safety policies, procedures, rules and regulations are adhered to and are regularly reviewed, updated and communicated;

w. Provide guidance and support to contractors in complying with activities as stated in the OHS requirements and Guidelines to be implemented as part of ESMPs;

x. Draft OHS policies, prepare site safety work plan and costs estimates, provide guidance/ support for preparing and or forming an incident/accident reporting line, project site inspection checklist and create awareness materials;

y. Check temporary facilities of contractors and other staff and prepare accident and incident reports and adequately implement their recommendations. Keep and track records of their implementation;

z. Develop necessary OHS and CHS awareness materials to be distributed;

aa. Create project OHS database clearly indicating % resolved and ongoing OHS cases as updated monthly;

bb. Assist in documenting good practices, report preparation, videos and other relevant materials from the project as knowledge sharing materials;

cc. Monitor OHS and CHS practices in contractor's labour camps and construction sites in line with the Labour Act 2024;

dd. Recommend and identify gaps in improving implementation of OSH Guidelines by contractors, and the Roads Directorate;

ee. Perform other OHS- and CHS-related duties as assigned by the Manager Environment and Safety.

3.2 Duration the Service

The validity of the contract shall be 2 years and renewable based on performance.

3.3 Qualifications

The ideal candidate for the Health and Safety Specialist position should have:

- A degree in Environmental or Social Sciences, with a Diploma in Occupational Health and Safety as mandatory add on to the existing qualification. A certified training in construction health and safety will be an added advantage.
- at least ten (10) years' cumulative experience in health and safety risks management issues for major construction projects.
- at least five (5) year experience in the infrastructure construction projects, covering preparation of health and safety management plans, incident investigations, hazard identification and risk assessments, and supervision of health and safety in infrastructure/ construction projects.
- be registered with the Ministry of Labour in accordance with the Labour Act 2024
- competency in word processing, spreadsheets, and slideshow program.
- Proficiency in written and spoken English and Sesotho is mandatory.

3.4 Key Performance Indicators for Position

In carrying out its functions, the performance of the Health and Safety Specialist for the four components will be reviewed by the Bank and, if determined that the performance is below the indicators below, the contract may be terminated. The indicators are as follows:

i. Submission of monthly health and safety report to the Manager Environment and Safety by the 10th of each month, for the preceding month;

ii. Submission of monthly summary report on the compliance as per the requirements of the projects' HSMP and ESCP to the Manager Environment and Safety by the 10th of each month for the preceding month;

iii. Submission of quarterly summary Report on the compliance as per the requirements of the projects' HSMP and ESCP to the Manager Environment and Safety within one month, after the end of the preceding quarter;

iv. Submission of Annual Summary Report on the compliance as per the requirements of the projects' HSMP and ESCP to the Manager Environment and Safety within three months after the end of the year;

v. Number, frequency and % of contractor, subcontractor, Roads Directorate personnel trained in OHS and CHS.

vi. Number of construction site inspections and audits performed

vii. Percentage of OHS suggestions or complaints for which feedback was provided in a timely manner

viii. Number of near miss, injuries, first aid cases, accident, incident, dangerous occurrences and reportable accidents

ix. Lost time injury frequency rate for the project

Evaluation Criteria

Criteria	**Points**
Educational Qualifications Degree: Postgraduate/ Master Degree Certificates of professional bodies/ affiliations	 25 5 5 (35 points)
Relevant Working Experience and its adequacy for the proposed assignment (clear information/evidence on work experience is highly essential) Projects Organisational	 35 20 (55 points)
Language (proficiency in English), skills & competencies (attach certificates of proficiency if available) Languages Skills and competencies	 5 5 (10 points)
Total points	**100**

*Experience will be assessed on its relevance to the current assignment.

* Educational qualifications and completion certificates must be attached. Certificates of membership/ affiliations to professional bodies be attached if available

*Certified copies must not be older than 6 months since last date of certifying

*Only shortlisted candidates will be contacted for interviews