

Terms of Reference (ToR) for the Resettlement Policy Framework (RPF) Ploiesti-Brasov Motorway Preparation Project

Background

Transport infrastructure networks in Romania are in poor condition, offer insufficient coverage, are not efficiently maintained, and generally do not support the country's aspirations on growth and job creation. The rail sector is not cost effective, receives a very significant share of EU funding given EU priorities and needs a thorough reform to increase its efficiency. However, based on current traffic trends and situation in all other EU countries, the backbone of traffic flows uses and will use the road network. However, compared to all EU countries, Romania's 700 km of motorways offer very little coverage. Driving conditions along main national roads are poor and unsafe. Romania has a long history of insufficient construction of motorways. Historically, Romania has also not managed any road sector PPP (only some port and rail cargo operations are private). There is a lack of credible pipeline for motorways to this day, while the size of the country and its main centers for growth would justify many sections economically. There is an acute need to restructure Romania's transport infrastructure and associated services with priority given to economically critical routes and better overall connectivity.

To address these challenges, the Government of Romania approved on September 19, 2016 a Governmental Decision for the approval of the General Transport Master Plan (GTMP), which provides the strategy for the development of Romania's transport sector for the next 20 years. The Master Plan identified the projects and policies which best meet Romania's National transport needs over the next 5-20 years, for all modes of transport, and provides a sound, analytical basis for the choice of those policies and projects.

Romania's General Transport Master Plan (GTMP) is ambitious with respect to both funding and the envisaged pace of implementation. It targets EUR 27 billion in road sector investment through 2030. According to the approved GTMP, 11 motorways (estimated at EUR 13.3 billion), 19 expressways (estimated at EUR 10.4 billion), tens of modernizations (EUR 2.5 billion), and bypasses (EUR 0.46 billion) are to be delivered by 2030. However, funding sources have been identified for just a portion of the planned investments. For the period 2014 - 2020, the road sector financing needs as per the GTMP amount to EUR 12.8 billion. Approximately EUR 4.6 billion is to be secured from EU funds and national counterpart funding. The balance of EUR 8.2 billion is yet to be identified. Investments that are envisaged for the 2021-2030 period also show a EUR 7.9 billion funding gap. Projected expenditure levels also appear ambitious considering past experience. For example, during 2012 when Romania's greatest level of annual road infrastructure investment to date took place along 1,623 km of the network, annual capital investment amounted to EUR 1.15 billion. The GTMP envisages implementation of more than EUR 2 billion worth of investment per year through 2020.

The 110 km Ploiesti-Brasov Motorway is included in the GTMP and forms part of the comprehensive Trans-European Transport Network (TEN-T). It is a flagship project for Romania's government. The project would complement the existing 60 km Bucharest-Ploiesti Motorway and would link Bucharest with the regional center of the Brasov area. More strategically, this would fundamentally change connectivity between two of Romania's most

economically vibrant areas. There have been three prior failed attempts at developing the project under some form of private concession. The most recent attempt in 2014 did not reach closure due to higher than expected costs for the government as well as perceived governance issues surrounding the deal. Experience of this attempt showed that deficient project preparation placed the Government of Romania at a severe disadvantage when negotiating with prospective Project sponsors. It also demonstrated that many technical constraints envisaged during the 2006 feasibility study have become outdated. For example, the 2006 feasibility study set an alignment that avoided any tunnel in excess of 300 meters.

The Government of Romania (GoR) intends to receive a loan from the World Bank to finance preparation and technical assistance activities relevant to the implementation of the Ploiesti-Brasov Motorway under the following two components:

Component 1: Preparation of the Ploiesti-Brasov Motorway delivery

This component will support financing of the necessary studies/activities, all related to the construction of the Ploiești-Brasov Motorway from the current end of the A3 motorway in Ploiești to Râșnov: feasibility studies, technical surveys, engineering conceptual and detailed design studies; relevant safeguard instruments (ESIA, Environmental and Social Management Plan, Resettlement Policy Frameworks, Resettlement Action Plans); and preparation of all bidding documents to facilitate the construction of the Ploiești - Brasov motorway from the current end of the A3 motorway in Ploiești to Râșnov. At the time of drafting of this ToR a financing source of this motorway construction is still not finalized.

Component 2: Institutional strengthening and sector initiatives

This component will support financing of activities related to the project management, external technical support for improving government project management processes, training and skills enhancement relating to motorways development with a particular focus on tunneling, complex structures, and road safety, etc.

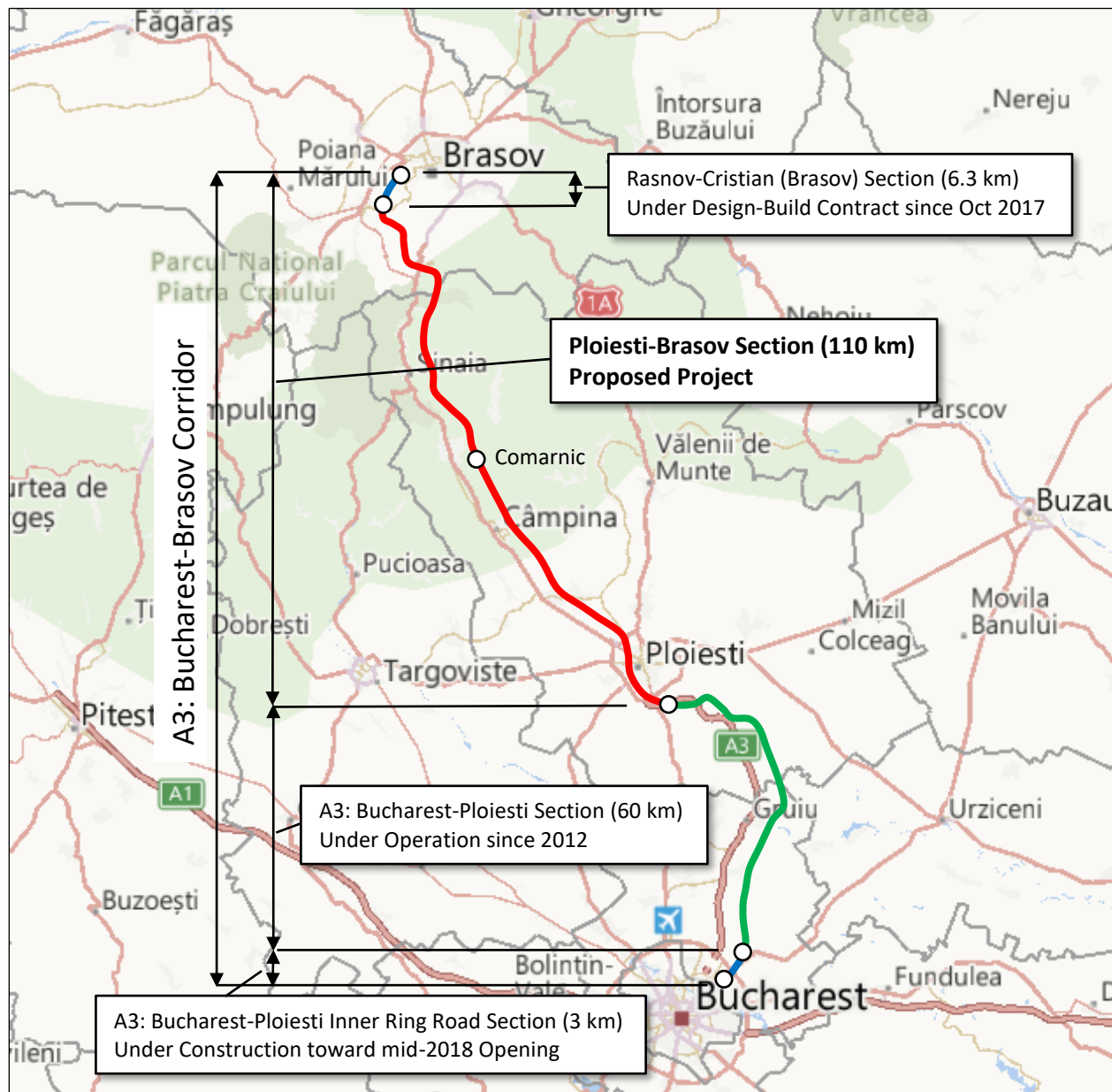
The Project will seek to use the Ploiesti-Brasov Motorway Project's preparation as a demonstration for improved project preparation of major projects as well as a platform for the development of boarder sector-wide funding and delivery strategies for Romania's motorways, roads and bridge network.

The road construction proposed for technical preparation in this project is in a region with three major tourist cities (Bușteni, Predeal and Sinaia) and several villages and communes. The topography consists of flat areas and steep mountains posing challenges for engineering designs. The project affected area also has well known nature reserves and parks and important historical, archeological and cultural resources. The project area also contains numerous utilities (gas and oil pipelines, electrical transmission lines, and sewage systems. Important reservoirs used for drinking water servicing significant metropolitan centers and sources of irrigation systems are also in the project area.

The TA will update the previous road corridor designs, determine alternative engineering designs based on modern EU road construction standards, propose alternative cost benefit options and

undertake preliminary scoping of environmental and social impacts and risks. Based on these results, final road construction proposals will be developed.

The location of Ploiesti – Brasov motorway



**For internal use only: This is not a certified map for publication.*

The country has experience in implementing IFI (such as EU and EBRD) supported road projects including World Bank financed projects. The TA will also support capacity enhancement for the Project Implementation Unit (PIU) staff within the Ministry of Transport. The PIU will coordinate and implement project planning, budgeting, procurement, disbursement, construction and

environmental and social due diligence oversight, auditing, monitoring and evaluation, and implementation progress reports.

A. Preparation of Resettlement Policy Framework (RPF)

The proposed corridor to be undertaken for detailed study under the TA does anticipate some social impacts. Since the project proposed under GTMP is expected to be posed to World Bank and or other multilaterals/bilateral for investments, it was considered appropriate to develop a Resettlement Policy Framework (RPF) which will cover land-related impacts that may occur while executing investments both in Ploiesti-Brasov Motorway Project whilst other social impacts will be covered in ESIA. RPF is an instrument which derives from the World Bank's Involuntary¹ Resettlement Policy (OP 4.12)². This policy covers direct economic and social impacts that may result from Bank-assisted investment projects and or others caused by:

- a) involuntary taking of land resulting in
 - (i) relocation or loss of shelter for existing/resident population;
 - (ii) loss of assets or access to assets; or
 - (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or
- b) involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

B. Involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate measures are carefully planned and carried out to address potential impacts. For these reasons, the overall objectives of the Bank's (OP/4.12) policy on involuntary resettlement is the following:

- a) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- b) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons³ should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- c) Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

¹ Involuntary means "actions that may be taken without the displaced person's informed consent or power of choice"

² This policy (OP 4.12) has been revised and expanded as ESS 5 under the new Environmental and Social Framework. The new ESF will become effective from mid-2018 and there might be some changes that may require to be carried out in the RPF, should a follow-up project be developed based on the TA.

³ The term "displaced persons" refers to persons who are affected in any of the ways for meaning of "social impacts", "investment projects", "taking of land", "involuntary restriction of access" among other key terms, concepts and statements.

This policy applies to all components of the project that result in involuntary resettlement, regardless of the source of financing. It also applies to other activities resulting in involuntary resettlement that in the judgment of the Bank are (a) directly and significantly related to the Bank-assisted project, (b) necessary to achieve its objectives as set forth in the project documents; and (c) carried out, or planned to be carried out, contemporaneously with the project.

As a part of TA activities, social due diligence requires to develop a RPF, which identifies potential social risks and adverse impacts to people, their livelihood and properties of human settlements along the proposed road corridor, and guides screening of impacts along with remedial measures to be undertaken on a case to case basis. Given that the road designs may involve both private and public land acquisition, the RPF is thus a key tool to ensure that any adverse social impact and or resettlement impacts are managed and addressed in compliance with the World Bank Environment and Social Safeguards policy and guidelines.

B. Objective of the Assignment

Main objective of the assignment is to prepare a Resettlement Policy Framework (RPF) that lays out the policies, institutional arrangements, schedules, indicative budgets and procedures that govern the acquisition of land, physical relocation of households and commercial enterprises, and other social impacts that may result from implementation of the proposed project including required mitigation measures for potential social impacts, instruments to be prepared, valuation and compensation procedures, grievance handling systems and how to engage project affected parties in planning and implementation of follow-up projects.

Development of RPF is to ensure that systematic processes are followed (as against any ad-hoc processes) in addressing social concerns during different stages of implementation; and a framework that assures participation of affected persons, involvement of relevant institutions and stakeholders, adherence to both World Bank and Government of Romania's procedures and requirements, and outline appropriate compensation for affected persons

C. Scope of the assignment.

The scope of work of the consultant includes but not limited to the following:

- a) Review safeguard documents developed and applied by International Financial Institutions (IFIs) financed projects in the Romania, including the experiences and lessons learnt while executing social safeguards activities;,,
- b) Study country framework assessments that may have recorded the involuntary resettlement experiences of road /transport sector projects;
- c) Collect and review national laws and regulations and WB's social safeguards policies (OP 4.12) and other provisions governing preparation and implementation of Resettlement Action Plans (RAPs) for WB financed projects, to assess their applicability to the project, and related requirements. These shall also include other social issues especially those related indigenous people and Environment-Health-and-Safety (EHS) aspects of the affected population. identify and detail the gaps and suggest measures to address them;

- d) Conduct consultations with national legal experts on any recent and or proposals for legal changes under consideration by the State, identify existing gaps and develop measures to address them;
- e) Review existing cadastral maps and other available data regarding the population, land ownership and usage, and socioeconomic characteristics of the population and their practices in the project impact area;
- f) Identify the key institutions, departments, and stakeholders authorized to carryout land acquisition activities along with their respective mandates, roles and responsibilities. It is necesseery to outline clearly the enforcement and institutional capacity in implementing resettlement/land acquisition processes and provide an assessment of the strengths, weaknesses of each entity and opportunities for their capacity enhancement. identify scope for improvement of current processes for land acquisition and provide suggestions that could be implemented by the project within the existing legal frameworks in Romania;
- g) Review existing grievance redressal mechanisms (GRM) mandated by law and application of the same in practice and suggest improvements to be implemented to comply with WB guidelines; and
- h) Identify potentially disadvantaged or vulnerable individuals or groups (if any) that might be disproportionately impacted by resettlement and measures to support them or areas within the project area with land tenure conflicts or land disputes that require particular attention.
- i)

D. Tasks of the Assignment

In order to complete this assignment, consultant is expected to carry out following tasks;

E. Field Investigation and social screening

- a) The consultant shall conduct a field assessments and collect baseline information (primary and secondary) relevant to social screening to determine the various social impacts that may affect the lives of the people and or habitats in the proposed project area;
- b) Estimate the approximate size of land parcels that needs to be acquired, the current land usage, number of households, businesses and other roadside activities that are likely to be affected.
- c) Assess the extent and or length (as applicable) of public utilities such as telecom, electricity, water and sewerage systems that may be affected.
- d) Other assessments shall include but not limited to
 - identification of common/community property and or resources that may be affected (e.g. wells, hand pump, schools, community buildings, graveyards etc.);
 - land quality including areas with high agricultural yields, areas of degradation;
 - ownership, access to and use of natural resources, and local development status;
 - Study the types of land ownership (private, community owned areas), sources of livelihoods and category/type of owners in the project area;
- e) Determine the approximate scale of physical relocation of residential households, public infrastructure, commercial enterprises and other persons/families/households, who may be directly and or indirectly affected on account of land acquisition and or execution of the project;

F. Social Survey of selected households/locations

- a) Conduct a sample survey of potentially affected households in the above mentioned three settlement/cities(Bușteni, Predeal and Sinaia and several villages and communes), business entities and losses that may occur due to access restrictions etc. The survey also should assess whether there is a potential issue associated with land appreciation resulting from the project and potential impacts to those without security of tenure. The sample survey may not necessarily be a full scale census of potentially affected population, but should identify:
- b) the social, economic, and demographic profile of the people and communities affected such as population, gender, ethnicity, vulnerable groups, etc.;
- c) spatial distribution of population and growth rates, location and data of cities and villages in the project area;
- d) administrative structure of the local administration, mandates and extent of engagement of community groups on local issues/ administration;
- e) their views and perceptions on the proposed road improvement program etc.;;
- f) economic activities, employment, income and poverty status of the people in the project area;
- g) local economic development trends and ongoing government initiatives for development in the project area;
- h) conduct a preliminary analysis of the nature, scale and magnitude of all potential direct, indirect, induced and cumulative impacts that the proposed investments are likely to cause, and classify the same using established methods

G. Stakeholder Consultations

Conduct stakeholder consultations with key interested parties including community Service Organizations (CSOs), non-governmental organizations through focus group decision and interviews to gather qualitative data and information on the social concerns, suggestions and recommendations to avoid, minimize social risks and adverse impacts, if any to implement the project. Further the consultant shall:

- a) conduct consultations with each stakeholder category and present a Stakeholder Analysis of local stakeholders such as local government, associations, resident communities, road users, and or others who could play a role in the project implementation process with positive/negative influence on the outcomes;
- b) record and analyze people's perception of the project, its adverse impacts, and minimum acceptable mitigation measures (relocation options, if any are required assistance offered) that will enable them to cope with displacement or loss of livelihoods – temporary or permanent in nature, if any;
- c) consultations should also focus on coping mechanisms currently being used by communities;
- d) hold separate focused group discussions (FGDs) with women and other vulnerable groups (as identified from the survey).
- e) draw up impact categories critical to determine potential adverse impacts and analysis of the relative vulnerability and risks to the affected communities.

- f) analyze key impacts on different groups of people (such as land owners, small farmers; small businesses, shop keepers, commercial establishments, women), and communities (common properties, lands), etc. ensure that physical disclosure of safeguards instruments and project-related information, including making them accessible in a place, time and format that is easily accessible to PAPs, as well as minimum timeframes to share information prior to consultations.
- g) Summarize the concerns, suggestions by stakeholder for consideration by project authorities and technical consultants, during development of designs. Segregate the impacts on the various stakeholders by pre-construction and construction stage (such as disruption, loss of access, loss of livelihood, impact on host community due to labor influx, health, etc.). Outline a draft stakeholder engagement plan/framework for the implementation of project and how these were incorporated into the preparation of the RPF.

Additional steps required to be undertaken by the consultant under this process include:

- Organize public/stakeholder consultations on the TOR with the agencies (including local government bodies and other relevant legal entities) involved in expropriation of lands, resettlement/relocation activities;
- Arrange consultation meetings, including advertising them, inviting participants, arranging the venue and providing presentation equipment;
- Chair each meeting and give an introductory presentation, and chair and participate in discussions as appropriate.
- Prepare and deliver an MS Power Point presentation in Romanian at each meeting describing their work; Produce summaries of their work in Romanian to be distributed at each meeting;
- Produce a written record of each meeting in Romanian and English languages, noting attendance, stakeholders' affiliations, points raised in discussion and answers given;
- Assist to disclose the present TOR⁴ as well as drafts of RPF report in Romanian and English languages through the web page of MoT and other media ,as relevant, with due consideration of convenient access to published documents by project-affected communities;

H. Prepare a document titled Resettlement Policy Framework (RPF).

The RPF will govern and guide development of a site-specific Resettlement Action Plan and Livelihood Restoration Plan and or any other social impact management plans once the exact alignment of the motorway is determined. The RPF should include, but not limited to :

- a) Description of types and scale of impact on the livelihood on local communities for each alternative alignment. The type of impact will comply with the guidelines laid out in the OP

⁴ The final draft TOR was subject to public disclosure on the MoT's website and distributed to the local communities potentially affected by the project; it was also subject to disclosure on the Bank's website. Subsequently, MoT organized on January 18 and 25, 2018 two public consultations meetings in Busteni and Bucharest for debating the final draft TOR for RPF. The actual TOR represent the FINAL version which incorporates in annex the minutes of public consultations carried out by the MoT, and the Consultant is requested to take into consideration all the information presented/asked that is relevant to the RPF content and analysis.

4.12, the acquisition of private land, physical relocation of residential households and commercial enterprises, and permanent and temporary loss of access and income.

- b) Description of current national laws and regulations regarding land acquisition and physical resettlement, gaps between Romanian regulations and World Bank policies and guidelines;
- c) Description of the institutional arrangements (including implementation and monitoring mechanisms that ensures inclusiveness and participation of all affected people/groups and or communities) and the organizational structure within the Ministry of Transport (and or other relevant government agency) mandated for land acquisition and physical resettlement of project affected people;
- d) Estimated population likely to be affected by the project activities, The different categories of the affected persons which should include those who may lose legal title to land parcels, those without legal titles/relevant documentation of ownership, those who do not have titles or have lease agreements to and are using the land for economic activities or for residential purposes, those who may be have temporary loses or access to property or businesses during project implementation and or others who could be affected in any manner due to the project during preparation, construction and operation of the motorway;
- e) Outcome of public consultation held and feedback obtained. The feedback may be grouped following the categorization of the groups referred above;
- f) Eligibility Criteria for various categories of affected people. This section should also identify and document the unit of compensation i.e. whether individuals, families or groups and indicate the scenarios or cases for the application of each unit of analysis or a combination of units where appropriate
 - Develop a matrix that detail (permanent and temporary impacts). the type of compensation that each identified project affected person (PAP) will be entitled to and a rationale as part of the matrix explaining the reasoning behind the entitlement will be provided in the Matrix with due preference for land-to-land compensation for land-based livelihoods.
- g) Methods to be followed for valuing affected assets. This section should detail the methodology for taking of inventory of assets, values assigned and agreements to be reached with each identified PAP and provisions/formula for consideration of inflationary realities in the final determination of values. Provisions should also be made with clarity alluding to the possibility of revised values should there be major discrepancies between dates for value determination and actual date for payment;
- h) Organizational arrangements and procedures for delivery of entitlements along with roles and responsibilities, approval processes and process for delivery of entitlements. The relevant templates/formats should be provided as annexes.
- i) Methods for Consultation with and participation of Affected people – describe clearly processes and methodology to be followed for public consultation and participation of PAPs, different levels of consultations, expected outcomes from different stages of the consultation and participation approaches that needs to be adopted, along with reporting and disclosure procedures/processes;
- j) Describe the Grievance Redressal Mechanisms (GRM) options available to PAPs for grievance redress and monitoring mechanisms to check responsiveness to complaints or grievances submitted. It should also include alternatives and annexes on template/formats for submitting grievances and the methods of submissions.

- k) A rough estimate of the budget necessary for land acquisition and physical relocation under the proposed road corridor including ex-post evaluation to ensure that PAPs were able to improve or at least restore living standards. The estimates should also include costs for monitoring resettlement activities (A Third -Party Monitoring Consultant, if neccseery), financial responsibility of each stakeholders, reporting and monitoring formats, and provisions for any inflations during implementation;

I. Tentative Outline/content of the Resettlement Policy Framework.

The RPF should contain the following sections:

Executive Summary

An executive summary will be prepared to be used as a stand-alone document in a manner that can be accessible to non-technical readers both in English and Romanian languages.

The main sections of the RPF should cover following:

1: Project Description

This section should provide a brief of the TA, the background leading to a proposed project, the objectives of the RPF, anticipated project phases, project location, assessment of associated facilities and RPF implementing arrangements.

2: RPF Purpose and Objectives

This section should present the main objectives of the framework, direct and indirect social impacts and the Consultant methodology that has been used in the preparation of the RPF.

3: Legislative Framework for the Land Acquisition and Involuntary Resettlement in Romania

This section shall contain a summary about the key relevant laws in relation to the land ownership, expropriation, transfer of ownership and compensation issues. It should also present the main administrative and institutional framework for issues related to land management and resettlement in Romania.

4: The World Bank Social Safeguard Policies

Detail the key safeguard policies for the World Bank - OP 4.12 on involuntary resettlement. It should also include details of good international practices and .the various principles related to this safeguard policy including, but not limited to, the resettlement instruments, scope and coverage of the RPF, RAP preparation and approval, Project affected persons and the vulnerable groups, the eligibility procedures and criteria, valuation of assets, implementation procedures, grievance and redress mechanism, budget and funding, disclosure requirements and WB resettlement documents, consultation, implementation processes and monitoring, evaluation and reporting requirements⁵.

⁵ It must be noted that the RPF will be subject to revisions should the IPF be processed once the ESF has entered in to force

5: Gaps Between the Romanian Regulation and the World Bank Policies.

This chapter shall present the gaps between the WB's social safeguard policies and the Romanian Legislations. It should contain measures and recommendations to bridge the gaps (if any) between the two sources of legislations.

6: Social Assessment and socio-economic survey Findings

This section should include methodology for survey, , the baseline, socio-economic data, , and the steps for the preparation of identification of PAPs and other social impacts and estimated population likely to be displaced.

7: Eligibility categories and Methods of Valuing Affected Assets.

This section should detail the estimated land acquisition and likely categories of impact, eligibility criteria for various categories of PAPs, quantification of impacts of the PAPs category wise, the valuation of land used by the public and calculation methods for compensation, payments and related considerations.

8: Organizational Elements, Entitlement Matrix and Procedures for Delivery of Entitlements

This section shall detail the process of preparation of RAPs, submission and approval processes. It also should explain linkages between the RAP and the actual project execution including how resettlement is linked to the implementation of civil works. Further, it shall contain a detailed entitlement matrix prepared in consultation with stakeholders, Govt of Romania and PAPs including the criteria for eligibility of compensation and other resettlement assistance and, present entitlements by type of impacted assets and category of impacted persons.

9: Measures to address Gender and other social Vulnerabilities

Identify gender and vulnerable people issues and concerns (if any) at planning stage and construction stages as they are more vulnerable during the project implementation and post resettlement/implementation periods, due to household management roles for women. The consultant should identify Project-relevant gaps between males and females, propose specific actions to address these gaps, and finally present indicators to monitor outcomes from actions identified to address these gaps.

10: Methods for Consultation with and participation of PAPs

This section should describe the terms and methodologies to be adopted for consultation and participation of PAPs in the process of development of RAPs and until they have received their entitlements. This process should be elaborated to avoid and minimize confusion and suspicions for PAPs and relevant authorities engaged in land acquisition and or other compensation determination and disbursement processes. This should be detailed for different levels of consultations, the expected outcomes at different stages of the consultation and participation approaches which should be adopted.

11: Resettlement Action Plans (RAPs) and Income generation/Restoration plans

This section should detail the various steps for preparation of RAPs and the key elements that should be covered including the timeframe, resettlement, project schedule, grievance redress mechanism, method for consultation and participation, monitoring and evaluation arrangements.

It should also include details on selection of relocation sites (temporary or permanent) and plans for housing, infrastructure and services, in case shifting of affected residential, commercial, residential-cum-commercial structure and community properties are required. In addition to the above, wherever applicable/required, feasible income generation/ restoration plans, if required be developed to rehabilitate those whose income or livelihoods are affected on account of the motorway. Provide necessary template and formats for RAP preparation.

12: Grievance Redress Mechanisms

In this section, provide the basic objective of GRM, detailed description of existing grievance redressal mechanisms/ systems/practices under the Romanian laws including customer complaint mechanisms with different agencies and propose suitable redressal mechanisms/measures in discussion with of Transport and other official legal agencies, along with options and processes available to PAPs for grievance redress. It should also include levels of GRM and their composition for type of grievances. The identification of eligible people for compensation, the valuing and compensation and any other complaints they may have with the entire process should be mentioned. Provide necessary formats, address and modes of communication of grievances in the Annex.

13: Implementation Arrangements

In this section, key institutions, departments, and stakeholders involved/authorised to execute the project will be detailed with their roles, responsibilities and relationship with the project activities. Present an assessment of the implementing agency, specific to implementation of RAPs. Provide an assessment of the strengths, weaknesses and opportunities for capacity enhancement to address social safeguards, gender issues and citizens engagement. Prepare an indicative action plan by type of training, audience and frequency.

14 Monitoring and Evaluation Procedures

The section should include institutional monitoring and evaluation (M&E) arrangements for the project (external/internal), parameters/indicators for M&E, periodic evaluation, reporting and dissemination of these reports.

15: Budget and Funding Arrangements and time

This section should provide an overall cost estimates for land acquisition, resettlement including for monitoring of the resettlement activities. If there are multiple sites, the RPF should give an indicative budget for resettlement for each of the sites or communities. The financial responsibility of the relevant stakeholders, where applicable, should be categorically stated to avoid ambiguity of source of funds for resettlement activities.

Annexes

The RPF annexes should minimum include:

- i). Entitlement matrix & Method of valuation and compensation of land/properties

- ii). *Stakeholder Engagement Plan/Framework*
- iii). *Templates/formats for RAPs and GRMs*

J. Reporting Requirements

- **Inception Report**-No later than two weeks from contract award, an Inception Report shall be submitted that presents the Consultant's Work Plan, defines the Implementation Schedule by task, and methodology should be submitted.
- **Draft and final RPF** shall be submitted within three months period in Romanian and English, with two (2) hard copies and two (2) electronic copies at the times as agreed in the Work Plan.
- **Final RPF** shall be submitted within four months period in Romanian and English, with two (2) hard copies and two (2) electronic copies at the times as agreed in the Work Plan

K. Team Composition and qualifications of Consultants

This assignment is expected to require high level qualification of a Team leader and minimum of two social scientists. Team leader should have at least ten (10) years of experience in field of social assessments/resettlement planning. Pervious experience working with the IFIs/World Bank's social safeguards requirements and prior experience in developing a RAP is necessary. The team is expected to provide pragmatic and insightful planning to complete the above scope of work. The Team leader should posses Masters or upper level academic credentials in the field of social science. Additional staff may have experience/qualifications in gender and social survey fields with minimum experience of five years. The team is expected to provide pragmatic and insightful planning to complete the above scope of work.

.	Key Expert	Minimum Qualification& Experience and Experience
1.	Team Leader-Senior Social Development specialist	The candidate should have Master's degree or upper level degree in Social/ science with minimum 10 years on social impact assessment of infrastructure development projects and experience of preparing RPFs/RAPs .The candidate must have full knowledge of the World Bank's guidelines, procedures and operational policies/directives. Experience of working as social expert in at least two World Bank or multilateral funded projects is required
2.	Social Survey /Assessment Specialist	Masters in Social Sciences with 6 years of experience in preparation of Social Surveys/ Assessments , RAPs and at least five (5) large infrastructure projects of which two should have been funded by multilateral agencies

3.	Community Consultation/Gender Specialist	Masters in Social Sciences with at least 6 years of experience of stakeholder consultation, and gender i in large infrastructure projects of which two should have been funded by multilateral agencies
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All information, data and reports obtained from the Client in the execution of the services of the Consultant shall be properly reviewed and analyzed by the Consultant. The responsibility for the correctness of using such data shall rest with the Consultant. All such information, data and reports shall be treated as confidential. The consultant must take into account that the reports should be simultaneously submitted in English, as well as necessarily in Romanian language.

Annex 1

Public Consultations

MINUTES

of the meeting held on 18 Jan. 2018, at 11:00 hours, on the premises of Cantacuzino Castle in Bușteni, Prahova county, for the presentation debate over the ToR concerning the evaluation of the social and environmental impact of the "Ploiești – Brașov Motorway" Project⁶

⁶ The consultations meeting in Busteni was announced on the MoT website, and also through mails sent by MoT to all local administration authorities within the project's corridor, and to other interested parties.

PARTICIPANTS:

The list of the participants is attached hereto.

The opening speeches were delivered by Mr. **Irinel GHIȚĂ**, mayor of Bușteni, who welcomed the participants, and Ms. **Maria Magdalena GRIGORE**, secretary of state, who presented the purpose of the meeting.

Mr. **Robert DOBRE**, senior adviser to the Directorate General for Management and Strategy (of the Ministry of Transport), delivered the first presentation that covered the motorway alignment as suggested by the analyses done by the Ministry, starting from an FS prepared in 2006 and then updated to reflect the later developments of the administrative and territorial unit whose administrative territory is crossed by the motorway. The presentation provided details of the elements covered by the analysis, more specifically the restrictive factors: geological, geomorphological, the use of land, the protected areas, the utility networks, whose knowledge and approach from the very beginning of the project is necessary in order to accelerate the implementation of this project.

Coming next was a presentation of the ToR underlying the evaluation of the social and environmental impact, delivered by Mr. **Laurențiu BULIMAR** (adviser to the Ministry of Transport - MoT), and also a presentation of the ToR concerning the evaluation of the relocation policies, delivered by Ms. **Mariana IONIȚĂ**, Director; both presentations spoke about the objectives of the two studies, their structure, as well as the role of the General Management Plan and the future Report on the Social, Environmental and Relocation Policies impact, including the impact mitigation plan and the communication plan.

The speakers highlighted that the presented alignment was not the final route, but the outcome of the analysis done by the MoT.

A debate followed, opened by Mr. **Gheorghe RICHEA**, the mayor of Breaza, who pointed out that the alignment should be established as soon as possible and that the construction permits had been issued in compliance with the motorway routing established before.

Also in order to ease the traffic in the Comarnic – Bușteni area, the mayor said that the pedestrian passageways have to be considered; in Bușteni, pedestrians avoid the passageway and take the crossing instead. The first pedestrian crossing that contributes to creating a bottleneck is the one in Comarnic, then Sinaia, the deviation of the traffic to the belt road contributed to reducing this risk. That is why, solving the bottlenecks in Comarnic and Breaza are a priority.

He concluded by raising two questions - referring to the way in which the performance of the motorway works will affect traffic and to the alternative routes that can be used while works are carried out on the motorway.

Further on, Mr. **Alin MOLDOVEANU**, mayor of Poiana Câmpina, reminded the audience about the water treatment station that will be built near the route of the future motorway, as well as about the future emergency hospital, which will be a Swiss-level hospital and which will need connections with the motorway and with the national road, therefore a new interchange shall have to be built in the area.

The mayor also requested that all communities should have access to the motorway: Câmpina, Poiana Câmpina, Breaza and Bănești, explaining that the motorway shall have a greatest impact upon the future development of these communities.

Mr. **Sorin Nicolae POPA**, mayor of Comarnic, stated that the routing should be maintained as taken from the land development documentations prepared for the county and in the General Zoning Plans.

Mr. **Gicu COJOCARU**, the mayor of Cristian, requested clarifications about the routing of the motorway and about the way in which the motorway will affect his commune, including during the time of the works, as well as to their connection with the national road to Sibiu; he asked whether this routing remains final, considering that the routing should be considered when building permits are issued. He also asked the implementation team to visit Cristian in order to have a hands-on discussion.

Ms. **Luminița IATAN**, chief architect of Prahova county, came up with a number of questions about the routing, she asked whether the routing had been taken from GIS and whether the routing was the one indicated by Search Corporation; she asked about the changes, considering that the zoning documentation were being prepared (general zoning plans) and explained that such documentations take a long time to prepare.

Ms. **Maria Magdalena GRIGORE**, a secretary of state, mentioned that the presented proposal considers the on-site (social and environmental) realities. This the reason why the routing needs to be updated, considering that the urban areas have changed and that the legislation has changed too. For that reason, the MoT requests the long- and medium-term projects of the local authorities, so that the best routing solution can be found.

Mr. **Adrian VEȘTEA**, president of the Brașov County Council pointed out how important the permanent discussions among authorities and with the stakeholders were, and he mentioned the alternatives to Doftanei Valley, that should insure the accessibility in the area.

Ms. **Rodica PARASCHIV**, deputat de Prahova, a amintit că acum 15 ani a fost prezentată prima variantă de traseu. The mayors presented the corridor. There was a presentation in spring at the MoT, and the conclusion was that the best option is the one established in 2006. In conclusion, the routing has to be established first and only then will be communicated as the last option.

There is a FS dating back to 2001, plus an alternative routing. CNAIR (the road company) prepared two options. Solutions have to be found for some belt roads.

Mr. **Radu OPREA**, a Prahova county senator, considered that now the correct procedures were respected and that the project could become financeable and mentioned that that was the best thing that could happen in Romania these days. He also saluted the presence of the World Bank and told the MoT that the legislative power will support that project, yet drawing the attention that - if works start - the national road No. 1 (DN1) will become a construction site road. Just like the president of Brasov County Council, senator Oprea said that Doftana Valley option should be considered too.

Mr. **Kurt NEUSCHITZER**, CEO of Zamora Estate, said that the only solution is to have an exit to Sinaia and that the tunnel option was best for Busteni, reminding the audience that in Europe a motorway had chased the tourists away, an experience which should not be repeated.

Ms. **Maria Magdalena GRIGORE**, secretary of state, proposed to have another meeting at the MoT on the following week. Madam secretary of state asked a question to the audience: “What would you like the author of the FS to deliver for your community?” and invited them on Thursday, 25 Jan. 2018 at 11.00 hours, on a visit where to also bring along the projects that should be considered when the FS is prepared.

Ms. **Nadia BADEA**, from the World Bank, specified that updating the FS as just one activity and that - if any other suggestions exist about the ToR's, they should be sent by 25 Jan. 2018.

Also, Ms. **Maria Magdalena GRIGORE**, secretary of state, specified that the ToR's were to be found on website of the MoT.

CONCLUSIONS:

After all these discussions, the MoT will centralise all observations and proposals and will organise a technical meeting on the premises of the MoT on 25 Jan. 2018, at 11.00 hours, that will also be attended by the chief architects.

LIST OF PARTICIPANTS



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Invitați participanți la întâlnirea din data de 18.01.2018 de la Bușteni
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MINUTES

of the meeting held to continue the debate on the ToR concerning the assessment of the social and environmental impact of the project” Ploiești – Brașov Motorway”⁷

DATE: 25 Jan. 2018, 11:00 hours

VENUE: Ministry of Transport, 1st floor, conference room No. 29 right

PARTICIPANT:

Ministry of Transport (MT):

Maria Magdalena GRIGORE, State Secretary

Laurențiu BULIMAR, HR Adviser

Mariana IONIȚĂ, Director (Directorate for Investment, Technical Regulations, and Building Permits)

Robert DOBRE, Senior adviser (Directorate General for Management and Strategy)

Mădălina TEODOR, Expert (Directorate General for Management and Strategy)

Mihaela AL-BASHTAWI, Senior Adviser (Directorate for Investment, Technical Regulations, and Building Permits)

Compania Nationala de Administrare A Infrastructurii Rutiere S.A. / National Company for Roads Infrastructure Administration (CNAIR):

Ion CUPANACHE, Head of the Expropriation Service

Aurelian NASTASIA, Engineer

Marian MANEA, Head of (CESTRIN - Centre for Technical Road Studies and Information)

IULIA BĂDESCU, environment adviser

Prahova County Council:

CRISTINA MIRCEA (Directorate General for Technical and Heritage Matters)

Cristina MOGOȘ, Head of the Service (SPTUC service)

Mayors from several communities in Prahova county:

Gheorghe RICHEA, mayor of **BREAZA**

Ioan-Alin MOLDOVEANU, mayor of **POIANA CÂMPINA**

Alexandra NEAGU, Urban Planning Inspector – **POIANA CÂMPINA** mayor's office

Didona CĂLIMAN, Chief architect, **CÂMPINA** mayor's office

Roxana CRIVĂȚ, Urban Planning, **BUȘTENI** mayor's office

George BARBU, mayor of **AZUGA**

Sorin Nicolae POPA, mayor of **COMARNIC**

Brașov County Council:

⁷ The consultations meeting at the Ministry of Transport was announced through mails sent by the ministry to all local administration authorities within the project's corridor, and to other interested parties.

Adrian IBĂNESCU, Chief architect
Radu VOINEA, Head of Permitting

Mayors from several communities in Braşov county:

Liviu COCOŞ, mayor of **PREDEAL**

Adrian PETRE-SPIRU, Chief architect, **GHIMBAV** mayor's office

Mircea-Sorin TOBĂ, Chief architect, **RÂŞNOV** mayor's office

Eugen-Claudiu MAFTEI, urban planning inspector, **CRISTIAN** mayor's office

Marius COMĂNICI, Executive Director, **BRAŞOV** mayor's office

Cătălin PICIOREA, Head Of Urban Planning, **BRAŞOV** mayor's office

Ms. Director **Mariana IONIŢĂ (MT)** delivered the opening speech and referred to the analysis presented in the previous meeting in Buşteni, on 18 Jan. 2018.

Further on, Mr. **Alin MOLDOVEANU**, mayor of **Poiana Câmpina**, mentioned that the mayor's offices of Câmpina, Poiana Câmpina, Cornu and Breaza wrote a joint letter to express their opinions and submitted it to the MT, asking the MT people to consider their letter.

[The letter was sent separately to the MoT and refers to a formal common request to include in the project for Ploiesti-Brasov highway a traffic junction (node) in the administrative area of these localities to serve them. This measure is considered as having a positive social and environmental impact on local communities – a very diverse development of those localities, with existing facilities for health, tourism, education, religious, with numerous small businesses, but also with available public or private land having a high potential for development and job creation.]

Mr. **Laurenţiu BULIMAR** (Adviser to the **MT**) specified that MT would not provide new solutions, they would come from consultants to whom MT would send all of the viewpoints provided by the mayors' offices and by the affected persons, and the tourist facilities and targets, the protected areas, cultural sites and historical monuments will be taken into consideration, as well as the usage of the mountain landscape (as it was specified in Buşteni, where somebody recommended to dig a tunnel) and also that the plan was to start working in March 2019 and divide the site in simpler field-based lots.

Mr. **Sorin POPA**, mayor of **Comarnic** proposed that works should start in Comarnic.

Mr. **Robert DOBRE, (MT)** reminded the participants that - according to the master plan - the priorities are the following: Comarnic, Azuga, Buşteni and Sinaia, with nodes on their ends, as belt roads, up to their integration with the motorway, and pointed that the traffic could be 1 x 1 (*half-profile or mini-motorway*), which - in the case of tunnels - would mean to have one gallery used in order to ensure the continuity of the routing. Buşteni belt road and Comarnic belt road could use the same space as the motorway.

Mr. **Alin MOLDOVEANU**, mayor of **Poiana Câmpina**, said that works should start in the Ploieşti-Comarnic area and explained that there is room for the site facilities in this area, an opinion that Mr. **Gheorghe RICHEA, mayor of Breaza**, shared; mayor Richea added that the 2005 project had been considered that far when building permits were issued and that this project could be used in the future too, with some improvement.

In the meantime, two micro power plants had been built in (Gura Beliei and Nistorești), and for that reason the motorway should be built a little closer to the river and also a little closer to the point of entrance into Poiana Câmpina, where a water treatment plant is scheduled to be built with EU funds. This plant will server several communities in the area and has already been cleared by the MT.

Mr. **Robert DOBRE (MT)** asked to have the location of the treatment plant.

Mr. **Marian MANEA (CESTRIN - Centre for Technical Road Studies and Information)** mentioned that the Transgaz pipeline was considered too, since the current plant was authorised as early on as 2010.

Mr. **Alin MOLDOVEANU**, mayor of **Poiana Câmpina**, reminded about the general zoning plan, that was approved in 2014.

Mr. **Marian MANEA, (CESTRIN)** specified that in 2014 the motorway corridor was reserved, therefore the two Transgaz pipelines and the high voltage cables were taken into consideration, plus that consultation were held back then with the authorities of Comarnic and the local Office for Cadastre and Land Registration about the reserved corridor.

Mr. **Gheorghe RICHEA**, mayor of **Breaza**, explained that the micro power plant and the treatment plant are far apart. He also reminded about the weekend road traffic which is caused by the villa owners, most of which are people from Bucharest. He concluded that a new node was necessary to the South.

Mr. **Marian MANEA, (CESTRIN)** explained that this matter was taken into consideration.

Mr. **Alin MOLDOVEANU**, mayor of **Poiana Câmpina**, reminded the participants about the road connecting that area to Dâmbovița county, that had also been built with EU funds.

Mr. **Gheorghe RICHEA**, mayor of **Breaza**, said a new node was necessary between Breaza, Cornu and Câmpina.

He also specified that although the motorway corridor had been preserved as per the older zoning plan, the MT version presented by Mr. Robert Dobre was better.

So he proposed that the neighbourhoods should be connected to each other by means of a road built under the motorway. He raised the issue of the lakes that ensure the unsilting of the water and should not be damaged, therefore he proposed that the motorway should not be close to the railway from Nistorești onwards.

Mr. **Robert DOBRE, (MT)** said that the nodes should be within practicable distances from each other and that the current trend is to build nodes at closer distances in order for them to be able to serve local communities too. Yet these nodes will be substantiated by the traffic study reports. In any case, it will be more difficult to build the nodes later, when the motorway is used, than it is to build them at the very beginning.

All proposals (Poiana Câmpina – South, Bănești intermediate node) will be analysed by the consultant. Also, DN1 (with 2 or 4 lanes) will take over some of the traffic.

Mr. **Alin MOLDOVEANU**, mayor of **Poiana Câmpina**, said that the positive impact upon the development of the local communities need to be considered too, the connection to Dâmbovița county is important,

too, because some of the traffic will be offloaded to Dâmbovița and - not lastly - the new hospital, which he considered to be of a Switzerland level...

Mr. **Sorin POPA**, mayor of **Comarnic**, started by reminding the audience that Comarnic was the gate to the chain of mountain resorts and that this community would become more modern to match the other communities on Prahova River Valley. Some land was expropriated in Comarnic too, based on a 2014 project.

Mr. **Ion CUPANACHE (CNAIR)**, said that the land had been expropriated based on the 2006 feasibility study, in Comarnic entry and exit areas. He also reminded the audience that the same objections against the routing were made about Comarnic even back in 2006.

Ms. **Maria Magdalena GRIGORE**, Secretary of State, invited all participants to think of the issues/matters that the consultant should consider when they review the feasibility study. She also requested from participants to identify the alternative routes in order to offload the traffic and reassured the participants that all proposals would be submitted to the consultant that would be reviewing the 2006 feasibility study. The 2006 corridor is the legal one until reviewed. It has a legal basis and has been cleared.

Some deviations from the original routing may be made, but the final version is not yet available.

The question for the time being is that what was it that the consultant should study?

All projects and proposals of local authorities will be considered.

Mr. **Adrian IBĂNESCU**, (Chief architect - **Brașov County Council**) reminded participants that a meeting had been held on Monday (22 Jan. 2018) to review what had been discussed in Bușteni. Both sides should be lenient. He concluded by saying that he would like to see this motorway ready before other motorways.

Ms. **Maria Magdalena GRIGORE**, Secretary of State, said that Ploiești-Brașov was a priority, alongside Iași-Tg. Mureș, and Ploiești-Bacău. All have to be done.

Mr. **Adrian PETRE-SPIRU**, Chief architect, of the **Ghimbav** mayor's office mentioned that Ghimbav would like to see the initial routing maintained (the traffic should be offloaded into DN1 national road), and not stopped in Cristian.

Mr. **Robert DOBRE, (MT)** explained that the offload to DN1 stayed as planned and the subsequent development of the motorway to Sibiu had to be considered too, and that this one is just a temporary offload solution. Ploiești-Brașov will go beyond Brașov, not tapping the entire potential of the motorway would be a pity.

Also the traffic management will be very important during the entire implementation period.

Mr. **Adrian IBĂNESCU**, (Chief architect of the **Brașov County Council**) proposed to have an offload near Predeal (unplanned), and said that the offloads are very remote.

Mr. **George BARBU**, mayor of **Azuga**, considered that the problem of the heavy traffic between Sinaia and Predeal would not be solved, and that the issue at Predeal has to be treated very seriously. In addition to that, the expropriation corridor (as per the 2006 feasibility study) involves the demolition of about 40 houses in Azuga, that are located behind the railway station. If possible, no demolition should be involved. Unless the demolition may be avoided, what solutions could be found for the relocation and resettlement of the locals?

Other than that, Azuga is not affected since its axis is perpendicular on the motorway and no other projects are envisaged along that route. There is also the area of the Azuga hospital, which is not affected.

Azuga's the narrowest gorge. The railway splits the motorway lateral areas and a site road has to be built for the machines. There is a site road along the railway, since the railway has been modernised.

Mr. **Robert DOBRE, (MT)** said the alignment of 2006 is pretty flexible, with some limitations.

Mr. **Laurențiu BULIMAR** (adviser to the **MT**) said the excavation tailings have to be evacuated and stored and solutions need to be found for that purpose (the storage capacity needs to be the double of the excavated volume). The site roads also need to be well designed.

Mr. **George BARBU**, mayor of **Azuga** said that it was important to have the coordinates of the corridor and that there is a project to build an industrial park in the future, which cannot be developed unless the corridor location is unknown. Ultimately he said Azuga did not have a node to the motorway.

Mr. **Liviu COCOȘ**, the mayor of **Predeal**, said Predeal wanted to be connected to the highway. He explained the connection was needed because of the skiing area and the biathlon track (to Râșnov, on the left-hand side).

Mr. **Marian MANEA, (CESTRIN)** said these matters had been considered when the studies were conducted in 2014.

Mr. **Eugen MAFTEI, Cristian** mayor's office, said the contractor had requested a building permit for the Râșnov-Cristian motorway segment. Yet the local council does not agreed to the proposed solution because the solution involves splitting some land perimeters that will not have access to the roads.

Ms. **Mariana IONIȚĂ** (Director in **MT**) said the World Bank had requested information about all segments that were under construction.

Mr. **Mircea TOBĂ**, chief architect of **Râșnov**, said the 2006 routing was located close to Postăvarul - Cheile Râșnoavei protected area. The current routing is unknown (the 2014 version did not involve a vicinity with Trei Brazi).

He also mentioned a Zoning Plan that had been approved (with CNAIR's clearance, on the 2006 routing) based on which a building permit was requested now.

Mr. **Robert DOBRE, (MT)** said that the current proposals tried to avoid the protected areas. Some of the proposals - on the left-hand side of Râșnoava Valley - reached the same point, to the South.

One of the recommendation was to also have a look at the Southern slope.

Another problem was that the current routing divided that community into two areas and that the motorway was as near to houses as 30 meters, in some areas.

The recommendation was to move it westwards. That Proposal was written and would be submitted to the MT.

CONCLUSIONS:

Further to the discussions, the MT would centralise the remarks and proposals and would submit them to the future consultant.