

July 2, 2019.

## **RFB Amendment Nr. 4**

**Country:** *Sint Maarten*

**Name of Project:** *Emergency Recovery Project I*

**Contract Title:** *Single Family Homes Repairs #2 – Lot 1 and Lot 2.*

**Loan No. /Credit No. / Grant No.:** *TF0A8079*

**RFB No:** *AN-IRC-NRPB-76496-CW-RFB / Repairs 2*

In connection with the above RFB, in particular with ITB 8.4 (new clause), the following is communicated to Bidders:

- The “Standard ESHS Specifications” that are attached hereto replace the “Upgraded Environmental and Social Management Plan (U-ESMP)” referred to in the RFB.
- Information on residence permit/waiver is added to the Specifications.

Amended related clauses are included in the rest of this document.

Best regards,

*National Recovery Program Bureau (NRPB)*

*Attn: Procurement Office*

*W.J.A. Nisbeth Road 57*

*Philipsburg, Sint Maarten*

[\*procurement@nrpbsxm.org\*](mailto:procurement@nrpbsxm.org)

[\*https://www.nrpbsxm.org\*](https://www.nrpbsxm.org)

## Section II - Bid Data Sheet (BDS)

*ITB 8.4 (new clause) is replaced by the following:*

<b>ITB 8.4 (new clause)</b>	Three amendments to the bidding document will be issued at least 15 working days prior to bid opening, as follows: <ul style="list-style-type: none"><li>• Standard ESHS Specifications, (See “Code of Conduct -- Environmental, social, health and safety” and “Environmental, social, health and safety requirements”).</li><li>• Schedule for sharing approved Assessment Reports with the Contractor (See “Specifications”).</li><li>• Information on residence permit/waiver and construction camps (See “Specifications”).</li></ul>
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## Technical Proposal

*Code of Conduct: Environmental, Social, Health and Safety (ESHS); the second paragraph is replaced by the following:*

Bidder’s Code of Conduct will be written in plain language and address risks associated with: labor influx, spread of communicable diseases, sexual harassment, gender-based violence, sexual exploitation and abuse, illicit behavior and crime, and maintaining a safe environment, according to the ERP I Standard ESHS Specifications, to be distributed through an amendment to the RFB.

## Section VII - Works’ Requirements

*Specifications, 5.- EMPLOYMENT AND RESIDENCE PERMITS; CONSTRUCTION CAMPS; the last paragraph is replaced by the following:*

Contractors not having domicile on St Maarten, who have successfully won a bid, please note the following:

1. information on establishing a company on St Maarten can be obtained from Department of Economic License and the St. Maarten Chamber of Commerce and Industry
2. incorporation of legal entities are processed by local Notary Offices
3. work and residency permits are processed in accordance with local laws; please find information on SXM government website:  
<http://www.sintmaartengov.org/government/VSA/Department-of-Labor-Affairs/Pages/default.aspx>.

*Environmental, social, health and safety requirements, C-ESMP and Management Strategies and Implementation Plans; the whole language is replaced by the following:*

The Environmental, social, health and safety requirements to be met by the Contractor will be described in the Standard ESHS Specifications, which will be communicated to Bidders through

an amendment to the RFB. The minimum content of the requirements is defined below in this section.

The Contractor shall submit for approval, and subsequently implement, the Contractor's Environment and Social Management Plan (C-ESMP) for each of the Sections of the Works, in accordance with the Particular Conditions of Contract Sub-Clause 16.2, that includes the agreed Management Strategies and Implementation Plans described here. These strategies and plans shall describe in detail the actions, materials, equipment, management processes etc. that will be implemented by the Contractor, and its subcontractors.

The C-ESMP should be designed to manage the following key Environmental, Social, Health and Safety (ESHS) risks.

- Site Security and Protection of Works
- Traffic Control- to ensure safety of local communities from construction traffic;
- Noise Control, Use and Management of Hazardous materials, Site Stabilization, Erosion Control,
- Management of trash, debris, transport and final disposition into authorized sites;
- Management of Worker Sanitation
- Strategy for obtaining Permits prior to the start of relevant works;
- Environmental, Health and Safety of workers
- Prevention of Gender based violence and sexual exploitation and abuse (GBV/SEA) and response action plan.
- Incident tracking system

The Contractor shall not carry out any works, including mobilization and/or pre-construction activities (e.g. limited clearance for haul roads, site accesses and work site establishment, geotechnical investigations or investigations to select ancillary features), unless the Project Manager is satisfied that appropriate measures are in place to address environmental, social, health and safety risks and impacts.

The C-ESMP shall be approved prior to the commencement of construction activities. The approved C-ESMP shall be reviewed, periodically (but not less than every three (3) months), and updated in a timely manner, as required, by the Contractor to ensure that it contains measures appropriate to the Works activities to be undertaken. The updated C-ESMP shall be subject to prior approval by the Project Manager.

*Environmental, social, health and safety requirements, Minimum Content of ESHS requirements; the last bullet point is replaced by the following:*

- Any other requirement indicated in Standard ESHS Specifications.

## Attachment to Amendment #4 – Standard ESHS Specifications

The Contractor and its subcontractors shall always comply with the following specification on Environmental, Social, Health and Safety (ESHS) aspects; and the existing labour regulations in Sint Maarten.

### Pre-Construction Preparedness

Prior to starting of any construction activity, the Contractor shall carry out the following actions:

- Designate a senior site supervisor as ESHS Focal Point for taking responsibility of implementing actions in the ESMP and communicating with the Project Manager on ESHS matters.
- Obtain necessary permits for the disposal of debris and other solid waste including hazardous waste at the government operated landfill sites; and sourcing of water for construction purposes
- Purchase the sand and aggregates from the government approved or licensed operators. Submit the details of the operators to the Project Manager for approval
- Use biocides approved by USEPA or WHO or any other relevant organization for the mold removal. Submit details of biocides to the Project Manager for approval
- Explain to its employees the expectations regarding their interactions with the community and explain how the grievance procedure works and their role in the Grievance Redress Mechanism (GRM) process (see Complaints Procedure at <https://nrpbxsm.org/>)
- Repair any damages to the homeowners' property (e.g. compound wall) into original conditions.

### Home Owners and Community Health and Safety Management

The Contractor shall implement for the following actions for the protection of health and safety of the homeowners and surrounding communities:

- Only start work if the house is vacant
- Provide personal protective equipment such as hard hats and safety shoes to homeowners if they are visiting the construction site for supervision
- Establish a perimeter of the site to secure from unauthorized access during construction
- Sign a 'code of conduct' with all its staff before mobilizing them into the construction. The code of conduct will include the good behavioural responsibilities of the workers in dealing with the local community and following the instruction from the supervisor. Terminate the workers if they do not abide by the code of conduct

### Workers Health and Safety Management

The Contractor shall implement the following actions for protection of health and safety of the construction works:

- Identify the potential hazards, with the guidance of the Project Manager, at each worksite and implement necessary control measures to mitigate the risks
- Ensure all its workers have undertaken ESHS awareness training provided by the Project Manager
- Provide personal protective equipment (PPE) for workers based on the work requirements. In particular provide safety harness for fall protection for workers.
- Daily inspect the structural integrity of the scaffolding or ladders used for roofing works
- Arrange safe drinking water to workers and provide adequate sanitation facilities agreed with the Project Manager

- Provide adequate first aid kits equipped with necessary and adequate medicines and Have an emergency contact number in the premises readily available for workers
- Not hire any labour less than 15 years of age and not engage youth workers (ages 15 to 18) in nighttime shifts (between 7.00 p.m. and 7.00 a.m.) and perform dangerous works, such as roofing works and carry or lift loads frequently.
- Implement the recommendations of the Project Manager in case of any work-related accidents to avoid recurrence of these incidents

## Debris and Other Waste Management

The Contractor shall implement the following actions for the management of debris and other wastes:

- Transport all debris from the construction sites and transport them to the site approved by the Project Manager regularly
- Clear all debris and unused material within three days after completion of work at each home
- Provide sufficient waste bins at the worksite for the collection of waste generated from the worksites
- Collect the hazardous waste separately, hand over to the government's hazardous waste management facility.

## Drainage and Soil Erosion Management

The Contractor shall implement the following actions for the management of erosion control and drainage:

- Cover all stockpiles containing loose materials such as sand and aggregates with the plastic covers to protect them from rain
- Not allow ponding of water near the construction sites, and discard all the storage containers that are capable of storing water, after use or store them in an inverted position.
- Direct all wastewater from the construction activities to the municipal sewerage system

## Noise and Vibration Management

The Contractor shall implement the following actions for the management of noise and vibrations from the construction activities, machinery and vehicles:

- Avoid undertaking the noisiest activities, where possible, when working at night near the residential areas
- Limit high noise generating activities during normal day time working hours
- Maintain all equipment and vehicles in order to keep it in good working order.
- Avoid the unnecessary use of alarms, horns and sirens.
- Organize the loading and unloading of trucks, and handling operations to minimize construction noise on the work site.

## Dust and Emissions Management

The Contractor shall implement the following actions for management of dust and air emissions from the construction activities, machinery and vehicles:

- Control the dust emissions from the construction sites and access roads through water sprinkling as and when required. Increase the watering frequency during periods of high risk (e.g. high winds).
- Cover the loose materials such as to avoid their being wind-drifted.
- Restore disturbed areas as soon as practicable by compaction.

- Establish adequate locations for storage, mixing and loading of construction materials, in a way that dust dispersion is prevented because of such operations.
- Maintain all machinery and vehicles in acceptable working conditions
- Not use machinery and vehicles that causes excess pollution (e.g. visible smoke).

### Traffic and Road Safety Management

The Contractor shall implement the following actions for management of traffic and road safety:

- Avoid congested areas and peak rush hours for transport of material and submit the proposed routes for material transport and timings of transport for Project Manager's approval.
- Employ experienced drivers and regularly inspect vehicle safety.
- Make sure all drivers will comply with the traffic codes concerning the maximum speed limit, driving hours, etc.
- Not obstruct the local roads for the local traffic, and where needed place traffic signs.

### Hazardous Material Management

The Contractor shall implement the following actions for management of hazardous material such as paints and fuels:

- Store all hazardous materials appropriately inside the houses to avoid direct exposure to rain, wind and sunlight
- Take all precautionary measures when handling and storing fuels and paints to prevent accidental spills