



**MCC-LIBERIA COMPACT**

**ENVIRONMENTAL AND SOCIAL MANAGEMENT SYSTEM**

**FRAMEWORK DOCUMENT**

**FOR**

**MCA-LIBERIA**

**NOVEMBER 2017**



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## LIST OF ACRONYMS

Acronym	Full Form
AF	Associated Facility
ALARP	As Low as Reasonably Practicable
Aoi	Area of Influence
BWI	Booker Washington Institute
CLO	Community Liaison Officers, outsourced resources by MCA-L
CMC	Contract Management Consultant
CP	Condition Precedent
ESIA	Environmental and Social Impact Assessment
ESAP	Environmental and Social Action Plan
ESMP	Environmental and Social Management Plan
ESMS	Environmental & Social Management System
EPA	Liberia Environmental Protection Agency
E&S	Environment and Social (including health and safety)
FIDIC	International Federation of Consulting Engineers
GoL	Government of Liberia
HSMP	Health and Safety Management Plan
IE	Implementing Entity
IEA	Implementing Entity Agreement
IFC	International Finance Corporation
ISO	International Standards Organization
ITT	Indicator Tracking Table
LEC	Liberia Electricity Corporation
LERC	Liberia Electricity Regulatory Commission
LWSC	Liberia Water and Sewer Corporation
MCHPP	Mount Coffee Hydro Power Plant
MLME	Ministry of Lands, Mines and Energy
MoU	Memorandum of Understanding
M&E	Monitoring and Evaluation
PIA	Program Implementation Agreement
PIU	Project Implementation Unit
PS	Performance Standard
RAP	Resettlement Action Plan
RMC	Regional Maintenance Centre



RPF	Resettlement Policy Framework
USACE	US Army Corps of Engineers
WB	World Bank
WTW	White Plains Water Treatment Works



## 1 INTRODUCTION

### 2 CONTEXT

A constraints analysis ("*Constraints Analysis*") prepared by the Government of Liberia ("GoL") and the Millennium Challenge Corporation ("MCC") completed in September 2013 identified two binding constraints to economic growth in Liberia: (i) lack of access to reliable and affordable electricity and (ii) inadequate road infrastructure. Based on the Constraints Analysis, on November 2, 2015, GoL, represented by the Ministry of Finance and Development Planning, and the United States of America, represented by MCC, entered into a Millennium Challenge Compact (the "Compact") wherein, MCC pledged to provide up to approximately US\$257 million in assistance to help facilitate poverty reduction through economic growth in Liberia. GoL and MCC also entered into a Program Implementation Agreement (the "PIA") that sets forth the general framework for program implementation during the Compact term.

The Compact's activities are divided into two Projects: (i) the Energy Project and (ii) the Roads Project. The Energy Project is designed to increase access to reliable and affordable electricity while the Roads Project is structured to strengthen the road infrastructure by improving the planning for and the execution of routine, periodic and emergency road maintenance.

Consistent with both the Compact and the PIA, the Millennium Challenge Account Liberia ("MCA-L") was, by an Act of the National Legislature, created as the independent and autonomous governmental institution that will serve as the accountable entity responsible for managing most of the activities funded under the Compact. While most of the compacts MCC executes with other nations have only one accountable entity, the Liberia Compact is unique due to the fact that there are two accountable entities for the Compact's activities. The Liberia Electricity Corporation ("LEC") is the Compact's other accountable entity and it is responsible for certain activities under the Energy Project.

### 3 PURPOSE OF DOCUMENT

This document provides a framework for the governance and management of Environmental & Social (E&S) impacts and risks associated with the activities financed by MCC and implemented by MCA-L. It has been developed in accordance with the IFC Performance Standards. It is owned by MCA-L and applies to the activities for which MCA-L has been designated as the accountable entity under the Compact.

Due to the nature of the multi-donor involvement in the rehabilitation of the MCHPP, a Project Implementation Unit (PIU) was charged with oversight of the rehabilitation efforts, and their oversight role is anticipated to officially end by June 2018. Given that this entity was formalized prior to MCC's involvement in the rehabilitation efforts in 2015, MCC opted to waive application of their standard policies, including adherence to the MCC Environmental Guidelines and the IFC Performance standards, in deference to other donors' judgments that all activities were in conformance with KfW procurement guidelines and the World Bank's



Operational Policies (OP's) on Environmental and Social Safeguards. Thus, this ESMS does not apply to those activities in which the PIU is designated as the implementing entity.

The purpose of this document is to establish the core elements of the E&S management system (ESMS); the E&S commitments relevant to the Compact and an overview of the ESMS requirements for implementation by MCA-L.

It is a framework document which cross-references to supporting policies, plans and procedures and documentation, and other relevant business system and procedures. It is an internal management tool intended for use as a high level reference. Communication of relevant aspects of this document will be made to employees, contractors, subcontractors and others as required.

This document also provides a summary of the relevant roles and responsibilities of MCA-L and other stakeholders involved in the delivery of the Compact. It therefore provides assurance that E&S mitigation and management measures are fully accounted for, and will be implemented in line with the commitments made to date. With this purpose, the remaining sections:

- Identify relevant legal requirements and good practice that have been adopted as Program Standards for the Compact to govern E&S management;
- Demonstrate how those Program Standards have been taken into account to date, while developing the E&S Management System;
- Provide an overview of the current status of the E&S Management System that has been developed, with signposting to the existing E&S documentation where relevant; and
- Describe how the E&S Management System will continue to develop, to ensure effective and sustainable management of E&S aspects, as MCA-L progresses in the completion of the Compact program.

This document is a “living” document, as the ESMS will continue to develop and evolve further in response to the different stages of the Program’s implementation. This document will be reviewed every six months, or as more often as required by MCA-L and will be updated when new information or materials are available so that the approach to E&S management remains fit-for-purpose and continues to align with relevant good practice.



#### **4 SCOPE**

The scope of this document is limited to the activities that MCA-L, in the Compact and the PIA, has been designated as the accountable entity and demonstrates how E&S impacts will be managed. Activities that have been previously carried out by the PIU/LEC are not within the scope of this ESMS, as those are activities that were fully completed before the establishment of this document, however, this ESMS will cover activities transitioned to MCA-L's responsibility from the PIU/LEC. Application of IFC Performance standards and MCC Environmental Guidelines to contracts developed by the PIU/LEC and inherited by MCA-L will be considered on a case by case basis.

All contractors and associated parties will be bound by the principles and minimum requirements of this ESMS and it will form part of their contract. Contractors will be responsible for ensuring their subcontractors and associates adhere to the principles of this ESMS.

#### **5 HOW TO USE THIS ESMS**

This ESMS has been produced for MCA-L and specifies how, when and by whom the E&S measures identified in Program Standards will be implemented. The roles and requirements of each associated party are outlined, summarizing how the implementation of the Compact will be managed, minimized and mitigated.

#### **6 DOCUMENT REFERENCES**

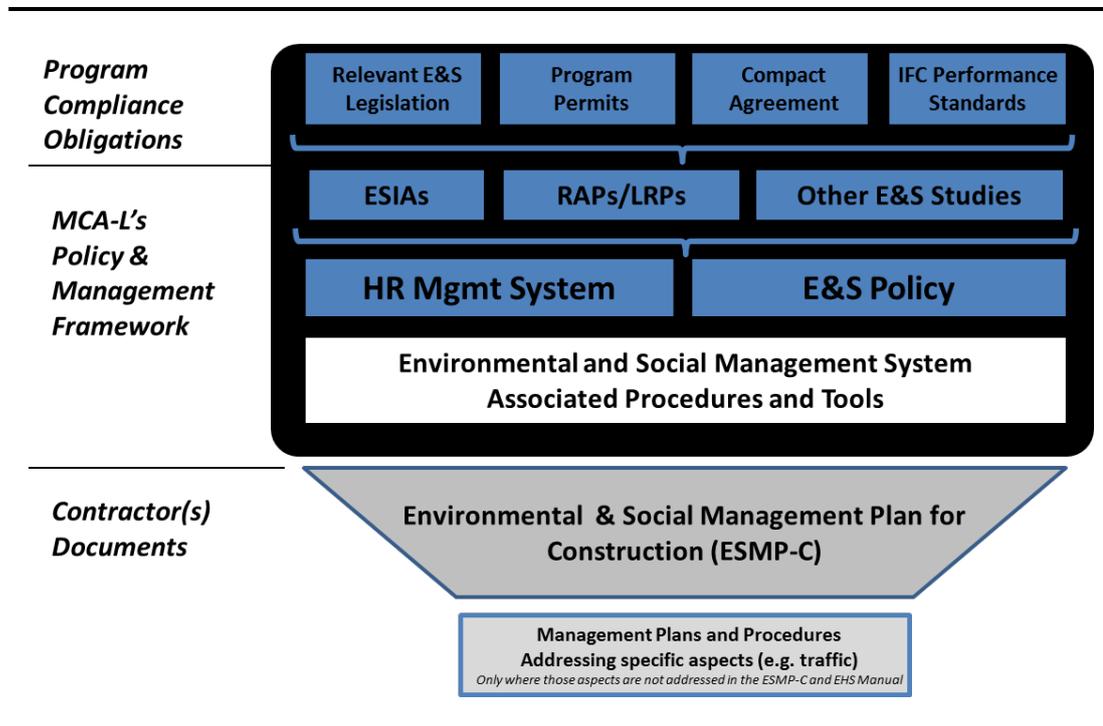
The document hierarchy for the Compact and the position of this ESMS within the hierarchy is shown in *Figure 1.1*. This ESMS forms part of MCA-L's governance framework and is a Condition Precedent for disbursement of MCC funds for the Compact. It is informed by and is designed to support the management of MCA-L's obligations and commitments in relation to legal requirements; permits and licenses; the IFC Performance Standards, and the Compact itself. It is further related to and should be used to facilitate the mitigation measures identified by Environmental and Social Impact Assessments (ESIAs); Resettlement Action Plans (RAPs); Livelihood Restoration Frameworks (LRPs); and other E&S studies as relevant. For example, an ESIA already exists that was prepared for the rehabilitation of MCHPP in 2012. This was accepted by the Liberian EPA and permits were received in July 2012. In addition, ESIAs will be prepared as required by the Liberian EPA for other activities under the Compact and will be subject to approval by the Liberian authorities (EPA).

This ESMS should also be used in conjunction with the environmental and social action plans (ESAPs) and management plan(s) for construction (ESMP-C) arising from the ESIA process once they are available. In the main, these will form key contractor documents and will be shared during the tender process with prospective contracting organizations. MCA-L will maintain a stewardship role over the activities undertaken by its contractors who will be required to incorporate them into their own management systems, plans and procedures.

ESMP templates and Monitoring plans can be found in Annex B and C, respectively, within this ESMS.



**Figure 1.1 Document Hierarchy for the Program**



This ESMS cross references with existing MCA-L processes and documentation. These include those listed below:

- **Business Conduct Policies**
- **Employment and Human Resources Policy**
- **2015 Compact Agreement**
- **MCA-L Status Update (Monthly Highlights) Reports**
- **MCA-L Program Implementation Plan**
- **File naming protocol**
- **Daily ESP Log**
- **ESP status update template**
- **Issues register (energy, roads)**
- **Lessons Learned register**
- **MCA-L risk register**



**PROGRAM DESCRIPTION**

**7 OVERVIEW**

The Compact activities to which this ESMS relates are detailed below and further elaborated on in **Annex A**. The activities are organized as (i) those that are led by MCA-L; and (ii) those that are led by the PIU and which MCA-L will inherit and progress towards completion if not completed by the time that the PIU contract with the GoL expires. The Compact covers a series of activities related to the rehabilitation of the MCHPP and selected associated infrastructure and institutional support activities. These are summarized below, taken from the MCC-Liberia Compact, 2015.

**8 COMPACT ACTIVITIES LED BY MCA-L**

**TABLE 1.1**

MCHPP Rehabilitation Activity
<p>As project owner, LEC is responsible for the MCHPP Rehabilitation. MCA-L is responsible for managing community resettlement and livelihood restoration related to the displacement of communities impacted by the MCHPP rehabilitation and future operation.</p> <p>MCC led interventions related to the MCHPP Rehabilitation: (These items are not subject to the scope of this ESMS as they were developed prior to MCA’s formalization, and MCC waived its IFC Performance Standard requirements)</p> <p><b>Provision of human resources support to LEC and the Project Implementation Unit (PIU) in its oversight role.</b></p>
MCHPP Support Activities
<p>Support activities led by MCA-L in relation to the MCHPP comprise:</p> <ul style="list-style-type: none"> <li>● <b>Fish study – Completion of a fish passage study to determine the seasonal migration patterns of migratory species in the St. Paul River and evaluate alternatives for restoring migrations through the Project Area following rehabilitation of the dam. This may result in the development of infrastructure to allow for fish passage that will require environmental/social management.</b></li> <li>● <b>Development of a Community-Based Natural Resource Management (CBNRM) plan (also known as the Watershed Management Plan) comprising:</b> <ul style="list-style-type: none"> <li>● <b>Recommendations for a national watershed strategy in collaboration with key stakeholders from NGOs and GoL for the protection of the St. Paul River catchment.</b></li> <li>● <b>Small scale agriculture training for communities to educate on how to utilize their land to maximize yield and generate economic activities.</b></li> </ul> </li> </ul>



- **Water, Sanitation, and Hygiene (WASH) – MCA-Liberia will be leading efforts to build on the successes of the PIU in continuing technical support to communities around the reservoir to achieving and/or maintaining Open Defecation Free (ODF) status through WASH focused sub-activities within the CBNRM activity.**
- **Replacement of the raw water pipe line from MCHPP to White Plains Water Treatment Plant (WTP).**
- **MCHPP to White Plains Water Pipeline – MCA-L will be responsible for community resettlement associated with Phase 2 of the pipeline works. A third party consultant has been contracted to prepare a feasibility study, an ESIA and the Resettlement Policy Framework (RPF) for Phase 2.**
- **MCA-L is also responsible for the resettlement action plan (RAP) and livelihood restoration activities associated with Phase 2 of MCHPP raw water service pipeline works (an LEC activity). MCA-L will procure consultancy to conduct ESIA for activities associated with the replacement of the raw water service line. A separate RAP will be prepared for the required resettlement and livelihood restoration activities.**

MCC led interventions related to the MCHPP Rehabilitation: (These items are not subject to the scope of this ESMS as they were developed prior to MCA’s formalization, and MCC waived its IFC Performance Standard requirements)

- **Small scale community infrastructure (such as bridges) and other assistance for affected communities to provide/improve access to land during the course of the rehabilitation project of MCHPP.**

#### LEC Training Centre Activity

MCA-L will build internal capacity of the LEC in technical, operational and administrative functions through establishment of a training center for technicians in the electricity sector. The specific activities that MCA-L is responsible for comprise:

- **Design, supervision and construction of the training center, and provision of equipment and training materials;**
- **Development of training curriculum in the core areas of transmission and distribution, electrical, mechanical, hydroelectric and other specialized training; and**
- **Training of the director, instructors and support staff of the training center who will be hired as employees of the LEC.**

#### Energy Sector Reform

MCA-L will provide support to key institutions responsible for policy making, investment planning, assessment management and overall E&S oversight for the sector (specifically for MLME, LEC, and EPA) through:

- **Establishment of an independent regulator, the Liberia Electricity Regulatory Commission (LERC);**



<ul style="list-style-type: none"> <li>● <b>Institutional strengthening for EPA; and</b></li> <li>● <b>Management support to LEC.</b></li> </ul>
Road Network
<p>The Roads Project comprises activities designed to build a foundation for national road maintenance planning and execution and build capacity within the sector. MCA-L will support:</p> <ul style="list-style-type: none"> <li>● <b>Financing of periodic road maintenance works through an incentive matching fund (the “Road Fund”). MCC will match GoL contributions to the Road Fund dedicated to periodic road maintenance on a one to one basis up to \$15 million during the Compact Term, subject to measurable indicators of performance on maintenance planning, capacity and implementation. <u>A separate ESMS may need to be developed for the road fund.</u></b></li> </ul>

Source: MCC-Liberia Compact 2015; MCC-Liberia Road Modification Proposal

## 9 ACTIVITIES LED BY PIU

**TABLE 1.2**

MCHPP Rehabilitation Activity
<p>The GoL has assigned responsibility of the rehabilitation of MCHPP to LEC. LEC is responsible for all the associated works with the exception of community displacement and resettlement / livelihood restoration for which MCA-L is responsible.</p> <p>Through the PIU, LEC contracted with a program management company, design engineers and construction companies, to rehabilitate the MCHPP. Activities performed included those listed below except where noted:</p> <ul style="list-style-type: none"> <li>● <b>MCHPP improvements in power generation (4 turbines up to 88MW total capacity).</b></li> <li>● <b>Finance provisions for the complete rehabilitation of the MCHPP.</b></li> <li>● <b>Additional transmission line from MCHPP to the Paynesville substation.</b></li> <li>● <b>Construction of the raw water intake at MCHPP.</b></li> <li>● <b>Creation of dispute adjudication boards.</b></li> </ul>
MCHPP Support Activities
<p>Support activities led by the PIU in relation to the MCHPP comprise:</p> <ul style="list-style-type: none"> <li>● <b>WASH program (WASH 1) - WASH work contracts funded by MCC are managed by the PIU. These will end by December 2017. Follow on separate WASH work will be led by MCA-L (see section above).</b></li> <li>● <b>Small scale community infrastructure (such as bridges) and other assistance for affected communities to provide/improve access to land during the course of the rehabilitation project of MCHPP.</b></li> <li>● <b>Disposal of Hazardous Waste and Materials used in the rehabilitation of MCHPP</b></li> </ul>

Source: MCC-Liberia Compact 2015



## 10 COMPACT AREA OF INFLUENCE

In line with the IFC Performance Standards (specifically PS1), the ESIA on the MCHPP Rehabilitation Activity has identified the Project's risks and impacts considering the location, type and scale of the project, in the context of the Project's 'Area of Influence' (AoI) which is defined in the Guidance Note to IFC PS1. For several elements of the Compact, MCC has waived IFC PS compliance and has deferred to the KfW guidelines instead.

Thus, only certain activities with the Compact will need to be IFC-compliant, and subject to the requirements of this ESMS.

In the context of the Compact, the Area of Influence (AOI) comprises the spatial footprint of the main Project site as well as additional areas impacted or potentially impacted during construction or operational activities. The Program's AoI will include the following aspects during the delivery of activities under the Compact:

- Area where workers are accommodated for the Project;
- Communities within the established villages in the Project AoI;
- Social and cultural sites as well as the St Paul River, which is used by residents for fishing, water supply and recreation;
- Communities and habitat along the corridor between the MCHPP and White Plains Water Treatment Plant
- Land used by communities for livelihoods activities such as agricultural land, hunting terrain in forestry areas, and fisheries on the St Paul River;
- Access roads from the Monrovia to-MCHPP to St Paul River, and the transportation route to Monrovia and the Program Location;
- Transmission lines and associated physical and/or economic resettlement;
- Small businesses; and
- The potentially significant risks and impacts of the Extended Project Area are discussed further in the respective ESIA documents and supplemental reports for the Project.

Any cumulative impacts associated with the Compact will be addressed in the ESIA of the respective activity. In general, based on current available information, MCA-L will ensure that any known (existing or planned) developments outside those listed above that would pose a significant cumulative impact or risk are addressed appropriately in the upcoming ESIA's. Works falling within MCA-L's scope will be managed in accordance with the requirements of this ESMS.

## 11 PROGRAM ASSOCIATED FACILITIES (AF)

The rehabilitation of the MCHPP involves the upgrade of the Paynesville and Bushrod substations. However, MCA-L funds are supporting the upgrade of the Paynesville substation and associated transmission lines. This scope of work is largely the responsibility of LEC and all works at the substation will be conducted by LEC or its Contractor in accordance with the requirements of this ESMS. Subject to confirmation of contractual responsibilities, MCA-L may



be requested to manage this Associated Facility upgrade in accordance with the requirements of this ESMS.

## 12 OVERALL PROGRAM TIMELINES

The key Program development timelines and key construction activities are outlined below. These timelines are dependent on a number of critical milestones and therefore are subject to ongoing review.

**Table 3.0 Envisaged Program Timelines & Key Activities**

Key Compact Activity	Description	TIMEFRAMES							
		2017		2018				2019	2020
		Q 3	Q 4	Q 1	Q 2	Q 3	Q 4		
n/a	Establish Implementing Entity Agreements (IEA) with LEC, BWI, MLME, LERC								
Energy Sector Reform Activity	Procure CMC to monitoring MSC								
Energy Sector Reform Activity	Selection of MSC								
n/a	Formalize communication channels and plans								
Rehabilitation of the MCHPP (currently PIU is the IE, transition plan to identify MCA-L responsibilities as appropriate)	4th turbine in place and in commercial operation								
	Finalization of emergency spillway and tailrace bridge (including access and security plan)								
	Revegetation around worksite and dam								
	Reservoir access								
	End of Project Implementation Unit (PIU)								
	Disposal of hazardous materials (related to PIU activities)								
	Fish Studies								



<b>MCHPP Support Activities</b>	<b>Implementation of the CBNRM</b>								
	<b>WASH activities – latrines and water sanitation activities</b>								
	<b>White Plains Pipeline activities</b>								
	<b>Analysis of Training Needs</b>								
<b>LEC Training Centre</b>	<b>Development of Training Curriculum</b>								
	<b>Construction of Centre</b>								
	<b>Training of selected personnel</b>								
	<b>Establish LERC</b>								
<b>Energy Sector Reform</b>	<b>Adjustments to Regulatory Framework</b>								
	<b>EPA capacity building</b>								
	<b>Confirm scope and application of Compact under a revised Compact Agreement</b>								
<b>Roads Project</b>									



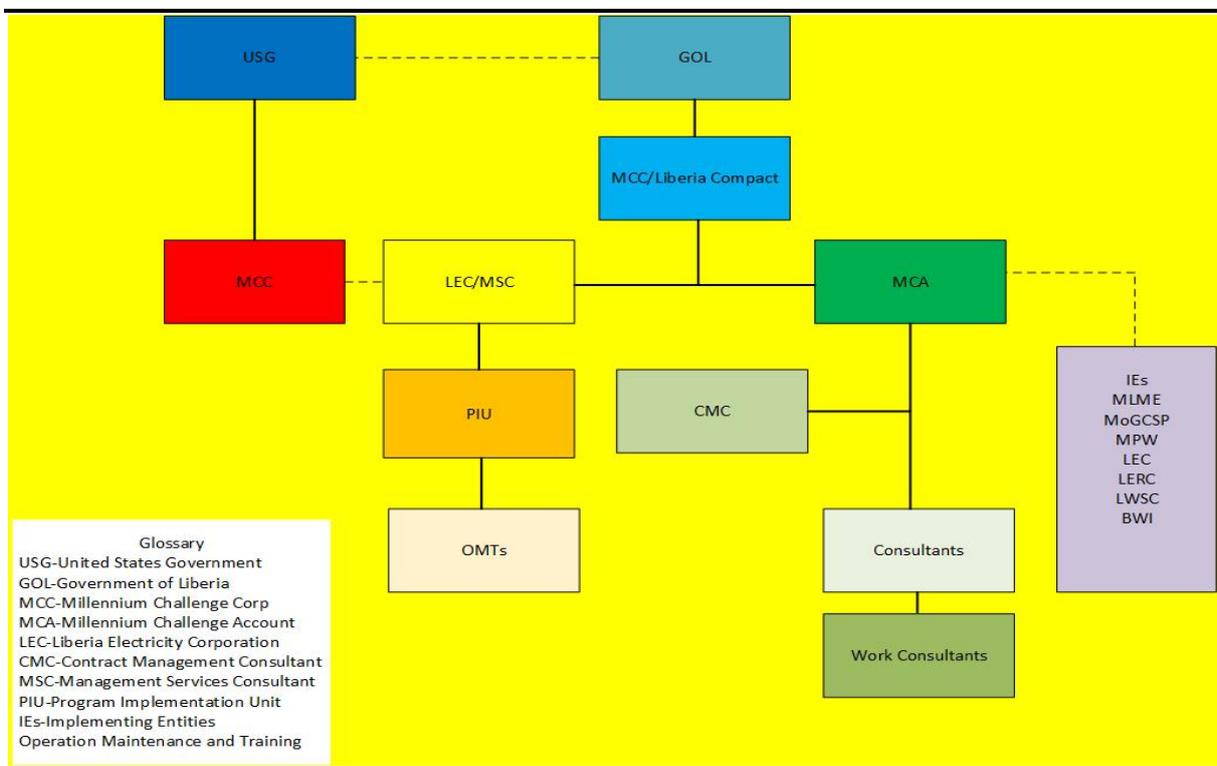
### 13 COMPACT ORGANIZATION

#### CONTRACTUAL ORGANIZATION

The Contractual Organization for the Compact Program is presented in Figure 3.1 below. Blue shading indicates MCA-L organizational elements.

MCA-L and the LEC are the responsible parties to deliver the Compact including the approval of the designs with local stakeholders and overseeing the design/construction follow-on work in accordance with the Compact, the GoL and its agencies as appropriate. The split of responsibilities between MCA-L and LEC in relation to the Compact activities is presented in **Annex C**. Both LEC and MCA-L are overseen by the GoL.

**Figure 3.1 Contractual Organization under the MCC Liberia Compact**



The LEC, through the Mount Coffee Project Implementation Unit (PIU), has contracted with design engineers and construction companies to rehabilitate the MCHPP in Liberia. The remaining works under the Compact, after PIU transitional period, including possible extensions, will be managed by LEC. Final stages of negotiating a management services contract (MSC) with the winning bidder of a procurement has been overseen by transaction advisors, Tetra Tech, for the past year and a half. The MSC will be for a base period of three years, and MCC funds will be used to pay the annual management fees and associated success fees.



The contract includes an optional two-year performance period. MCA-L has procured a Contract Monitoring Consultant (CMC) to monitor the work conducted by MSC and LEC in relation to the ESMS, MSC activities may not be directly covered by the scope of this document, however, MSC will insure that its contractors adhere to IFC performance standards in carrying out Compact related works. The CMC will be overseen by the Private Sector Development Director.

#### **14 Implementing Entities to MCA-Liberia Compact**

The GoL and MCA-L have designated several Implementing Entities (IEs) that are responsible for carrying out specific activities (or a component thereof) under the Compact. The roles and responsibilities of each IE will be documented in the MCA-L Implementing Entity Agreements (IEAs). Each IEA will reference this ESMS and each IE will be contracted to adhere to the requirements of the MCA-L ESMS and associated processes.

There are currently several IE agreements being developed for:

- Liberia Electricity Company (LEC);
- Liberia Water and Sewer Corporation (LWSC);
- Liberia Electricity Regulatory Commission (LERC)
- Ministry of Lands, Mines and Energy (MLME);
- Ministry of Public Works (MPW);
- Liberia Environmental Protection Agency (EPA);
- Ministry of Gender Children and Social Protection (MoGCSP)

#### **15 RESOURCES, ROLES AND RESPONSIBILITIES FOR E&S MANAGEMENT**

MCA-L is ultimately accountable for E&S management for its activities in the Compact and delivery of the Compact's E&S commitments. The ESP Director is responsible for E&S management and is responsible for the E&S aspects of MCA-L's Compact activities.

MCA-L's internal operations are administered, managed, and supported by a board of directors, a management team and one or more Stakeholders Committees (nominated / requested by either the board of directors or CEO). Figure 3.2 presents the organization structure of MCA-L. Figure 3.3 presents the list of Board Members, to whom the CEO reports.





**Table 3.1 MCA-L Key E&S Roles and Responsibility**

<b>Role</b>	<b>Responsibilities</b>
CEO	<ul style="list-style-type: none"> <li>Leads the political coordination within government agencies, in general and for any E&amp;S issues that arise.</li> <li>Accountable for the implementation of E&amp;S management of the activities delivered by MCA-L under the Compact.</li> <li>Ensures adequate resources (technical, financial and human) are available where necessary to ensure effective E&amp;S management.</li> <li>Maintain oversight of Project and MCA-L activities and performance, including E&amp;S performance.</li> </ul>
DCEO	<ul style="list-style-type: none"> <li>Convene and chair the meetings with Directors of MCA-L to discuss progress, coordination and procurement panels.</li> <li>Review E&amp;S risks to escalate to CEO for decision making</li> <li>Maintain oversight of Project and MCA-L activities and performance, including E&amp;S performance.</li> </ul>
Director of Communications	<ul style="list-style-type: none"> <li>Manages relations with local communities relevant to the Program, as well as communications and consultations with relevant interested parties from the surrounding area</li> <li>Facilitates effective interface between MCA-L and relevant Program stakeholders to catalyze and facilitate open and transparent reporting and communications on E&amp;S management.</li> <li>Maintains oversight of the Stakeholder Engagement Plan for the Program, including documentation relating to the Grievance Mechanism</li> </ul>
General Counsel	<ul style="list-style-type: none"> <li>Day-to-Day custodian of the Business Conduct Policies and codes of practice.</li> <li>Reviews Liberia legislation for applicability and relevance to the Program</li> <li>Communication of legislation to relevant MCA-L Directors and staff as appropriate, and provides support on the actions to implement as required</li> </ul>
Director of E&S Performance (ESP)	<ul style="list-style-type: none"> <li>Day-to-Day custodian of the ESMS and E&amp;S Policies.</li> <li>Day to day management and responsibility for the oversight of E&amp;S implementation for the Compact activities by MCA-L and ensuring compliance with MCC Environmental Guidelines and the IFC Performance Standards.</li> <li>Manages review of the ESP progress for each activity under the Program.</li> <li>Reviews ESIA studies and other documents provided by third parties and contractors for E&amp;S risks, management and mitigation</li> </ul>
Director of Social Gender and Integration	<ul style="list-style-type: none"> <li>Directs community affairs and community engagement under the Program in coordination with the Director of Communications and Director of ESP.</li> <li>Collaborates with ESP Director in review of TORs and advising on community engagement plans/strategies,</li> <li>Support road safety activities in road maintenance areas in coordination with the ESP and Roads Project Directors</li> </ul>
Director of Private Sector Development	<ul style="list-style-type: none"> <li>Manages the Contract Management Consultant (CMC) obligations and oversight of CMC</li> </ul>
Director of Procurement	<ul style="list-style-type: none"> <li>Owner of the Contract Administration Manual, developed in coordination with other MCA-L stakeholders as appropriate.</li> </ul>
Each Project or Sector Director related to contract management	<ul style="list-style-type: none"> <li>Day-to-day management of specific contracts under the Program</li> </ul>



	<ul style="list-style-type: none"> <li>• Oversees implementation of Commitments under each Project, including E&amp;S commitments and mitigation measures as set out in the relevant ESIA and this ESMS.</li> <li>• Ensure construction works and contractor activities are carried out in accordance with MCA-L expectations, Program Standards, and all relevant commitments.</li> <li>• Ensure that monitoring to be undertaken during construction is implemented;</li> <li>• Ensure that health and safety requirements are respected.</li> <li>• Performance reviews and review of Contractor monthly reports.</li> </ul>
<b>Non MCA-L Staff</b>	
Community Liaison Officer(s) (CLO) (Local community volunteer roles)	<ul style="list-style-type: none"> <li>• Monitors and implements terms of /commitments in the ESMP and ESIA and social study assessments with the communities.</li> <li>• Facilitates meeting with communities.</li> <li>• Manages information and communication flow to and from communities.</li> <li>• Maintains a dossier on critical stakeholder groups (stakeholder list, meeting minutes) and an up-to-date update incident and grievance register including measures taken to address incidents/resolve grievances.</li> <li>• Manages interventions in the community and social inclusion and empowerment activities/programs in the communities.</li> <li>• Directs interaction with communities in order to manage and maintain positive relationships in that regard, in coordination with the Director of Communications and the Director of ESP.</li> </ul>
Supervisory Engineer	<ul style="list-style-type: none"> <li>• Oversight and technical support of implementation of commitments at the Project, including E&amp;S commitments and mitigation measures as set out in the relevant ESIA and in accordance with this ESMS.</li> <li>• Oversight and technical support of Project-level responsibility for E&amp;S risk management and program implementation on-site during construction / ground works.</li> <li>• Ensure construction works and activities are carried out in accordance with MCA-L expectations, Program Standards, and all relevant Program commitments.</li> <li>• Ensure that monitoring to be undertaken during construction is implemented;</li> <li>• Ensure that health and safety requirements are respected.</li> <li>• Identify and define E&amp;S roles, responsibility and authorities within their organization.</li> <li>• Ensure that human, technical and financial resources are provided where essential to the implementation and control of the E&amp;S management.</li> <li>• Ensure E&amp;S plans, procedures and control mechanisms are prepared, implemented, evaluated and improved on a continued basis, incl. planning, risk assessment and risk response measures, monitoring and evaluation, etc.</li> <li>• Report E&amp;S performance to the appointed Contract Manager at MCA-L on a periodic basis, in accordance with MCA-L requirements.</li> <li>• Conducts EHS assessments and evaluations and participates in external/internal audits, to ensure any non-conformities are identified, managed and closed out effectively.</li> <li>• Ensure development of accident reports and track accident statistics</li> <li>• Co-ordinate investigation of incidents and accidents, as well as other EHS-related concerns and complaints.</li> </ul>



	<ul style="list-style-type: none"> <li>● Ensure the E&amp;S competency of all Project personnel through co-ordination of critical personnel, appropriate training, communication and awareness initiatives.</li> <li>● Ensure all relevant documentation is managed in accordance with Program Standards, including legal requirements</li> </ul>
Contractors and Grantees	<ul style="list-style-type: none"> <li>● Accountable for implementation of commitments at the Project, including E&amp;S commitments and mitigation measures as set out in the relevant ESIA and in accordance with this ESMS.</li> <li>● Has overall Project-level responsibility for E&amp;S risk management and program implementation on-site during construction / ground works.</li> <li>● Ensure construction works and activities are carried out in accordance with MCA-L expectations, Program Standards, and all relevant Program commitments.</li> <li>● Ensure that monitoring to be undertaken during construction is implemented;</li> <li>● Ensure that health and safety requirements are respected.</li> <li>● Identify and define E&amp;S roles, responsibility and authorities within their organization.</li> <li>● Ensure that human, technical and financial resources are provided where essential to the implementation and control of the E&amp;S management.</li> <li>● Ensure E&amp;S plans, procedures and control mechanisms are prepared, implemented, evaluated and improved on a continued basis, incl. planning, risk assessment and risk response measures, monitoring and evaluation, etc.</li> <li>● Report E&amp;S performance to the appointed Contract Manager at MCA-L on a periodic basis, in accordance with MCA-L requirements.</li> <li>● Conducts EHS assessments and evaluations and participates in external/internal audits, to ensure any non-conformities are identified, managed and closed out effectively.</li> <li>● Ensure development of accident reports and track accident statistics</li> <li>● Co-ordinate investigation of incidents and accidents, as well as other EHS-related concerns and complaints.</li> <li>● Ensure the E&amp;S competency of all Project personnel through co-ordination of critical personnel, appropriate training, communication and awareness initiatives.</li> <li>● Ensure all relevant documentation is managed in accordance with Program Standards, including legal requirements</li> </ul>



## 16 COMPACT STANDARDS

The Program Standards governing the development of the MCA-L E&S Management System are summarized in the following sections.

## 17 REGULATORY COMPLIANCE REQUIREMENTS

MCA-L and its activities under the Program are subject to national legislation, including the works of any contractors, agents or suppliers acting for or on behalf of MCA-L.

MCA-L and LEC, as accountable entities, and all IEs, in keeping with their respective Compact responsibilities, are to assist and facilitate the acquisition of all permits that are required for the Program Activities. The IE for each Activity for which LEC is the accountable entity will define its own permits through LEC, and MCA-L will engage with LEC to ensure these are in place. Activities for which MCA-L is the accountable entity will require that MCA-L Project Directors ensure permit applications are completed and approved in a timely manner for the associated Activity under the Program, as far as is practicable given GoL dependencies.

The permits may include a limited number of permit conditions, which must be integrated into the Contractors' ESMPs; including the development of a permit register where relevant (typically where permits are numerous in nature and govern several E&S aspects of the Activity).

The following Program Standards govern E&S management at all stages of Program development:

- Liberian Laws and Regulations, including guidelines set out by the EPA;
- Relevant international conventions and protocols relating to environmental and social issues, as transposed into national legislation;
- Permits and licenses; and
- Procedures and plans that implement regulatory requirements must be in place for all Activities under the Compact to ensure adequate and ongoing review, update maintenance and communication of regulatory requirements.

Within MCA-L, new or amended legislation are acquired by the Director of Communications and provided to the General Counsel for review. The General Counsel then reviews the new or amended legislation to determine any applicability to the Program Activities. If applicable, the General Counsel informs the relevant personnel within MCA-L, who will revert and act as appropriate and in coordination with advice from the General Counsel. As relevant to the legislation, MCA-L may also share the information with contractors through their Contract Management personnel. It is the responsibility of contractors to identify and manage their compliance to Liberian legislation.



## 18 MCC ELIGIBILITY PERFORMANCE CRITERIA

MCA-L also manages the overall coordination with governmental agencies to maintain Liberia's overall compliance to the MCC Eligibility Indicators Performance Criteria (EIPC). Periodically, the Director of Communication will liaise with the GoL organizations to understand how MCA-L can support, and how to monitor compliance with the EIPC.

## 19 INTERNATIONAL STANDARDS

### *SUSTAINABILITY STANDARDS*

The Program is subject to a range of legal requirements relating to E&S management. These requirements are enforced by law and are established through legislation, permits, licenses, contracts and legislated standards. In addition, the Program is also required to comply with MCC requirements including the IFC Performance Standards and IFC EHS Guidelines (refer to Table 4.2). Compliance with all relevant legal and other requirements is a core commitment of the Program Owner and the Contractor. Compliance with all legal and other requirements will be subject to ongoing review as part of the audit program.

**Table 4.1 MCC Sustainability Standards**

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MCC Specific Standards:
<ul style="list-style-type: none"><li>• MCC Environmental Guidelines 2012: <a href="https://www.mcc.gov/resources/doc/environmental-guidelines">https://www.mcc.gov/resources/doc/environmental-guidelines</a></li><li>• MCC Health and Safety Policy 2012: <a href="https://www.mcc.gov/resources/doc/health-and-safety-policy">https://www.mcc.gov/resources/doc/health-and-safety-policy</a></li><li>• MCC Gender and Social Integration 2011: <a href="https://www.mcc.gov/resources/doc/gender-policy">https://www.mcc.gov/resources/doc/gender-policy</a></li><li>• MCC Procurement guidelines: <a href="https://www.mcc.gov/resources/doc/program-procurement-guidelines">https://www.mcc.gov/resources/doc/program-procurement-guidelines</a></li><li>• <a href="#">FIDIC contracts e.g. for the White Plains pipeline project.</a></li></ul>
Relevant International Finance Corporation (IFC) Performance Standards <sup>(1)</sup> :
<ul style="list-style-type: none"><li>• Performance Standard 1: Assessment and Management of Environmental and Social Risks and Impacts</li><li>• Performance Standard 2: Labor and Working Conditions</li><li>• Performance Standard 3: Resource Efficiency and Pollution Prevention</li><li>• Performance Standard 4: Community Health, Safety, and Security</li><li>• Performance Standard 5: Land Acquisition and Involuntary Resettlement</li><li>• Performance Standard 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources</li><li>• Performance Standard 8: Cultural Heritage</li></ul>
Relevant IFC Guidelines:
<ul style="list-style-type: none"><li>• General Environmental, Health and Safety (EHS) Guidelines</li></ul>

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<sup>1</sup> [http://www.ifc.org/wps/wcm/connect/Topics\\_Ext\\_Content/IFC\\_External\\_Corporate\\_Site/Sustainability-At-IFC/Policies-Standards/Performance-Standards](http://www.ifc.org/wps/wcm/connect/Topics_Ext_Content/IFC_External_Corporate_Site/Sustainability-At-IFC/Policies-Standards/Performance-Standards)



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- Sector Specific Guidelines on Electric Power Transmission and Distribution for the relevant Program Activities on overhead transmission lines and substations
  - IFC Best Practice documents

<sup>1</sup> IFC PS 7 for Indigenous Peoples is not included as it is not relevant to this Program as there are no IPs known to be present in the project's area of influence.

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## **20 MANAGEMENT SYSTEMS STANDARDS**

ISO 14001 <sup>(2)</sup> and ISO 45001 (formerly OHSAS 18001) are international management system specifications for environmental management systems and occupational health & safety management systems respectively. They were developed via a consortium of leading national standards bodies, certification bodies, and specialist consultancies.

This ESMS has been developed in general accordance with these standards and reflect the associated international good practice Plan-Do-Check-Act (PDCA) model of systematic management <sup>(3)</sup>. MCC and MCA-L management systems use the IFC PS and require adherence to them of contractors and other third parties working for the Compact. Contractors and other third parties must have arrangements that are aligned with these or other comparable international standards.

## **21 SUMMARY OF PROGRAM OBLIGATIONS**

The following summarizes the 'Compact Standards' for E&S management at all stages of project development. All procedures established shall ensure adequate and ongoing review, update maintenance and communication of the requirements of these Program Standards.

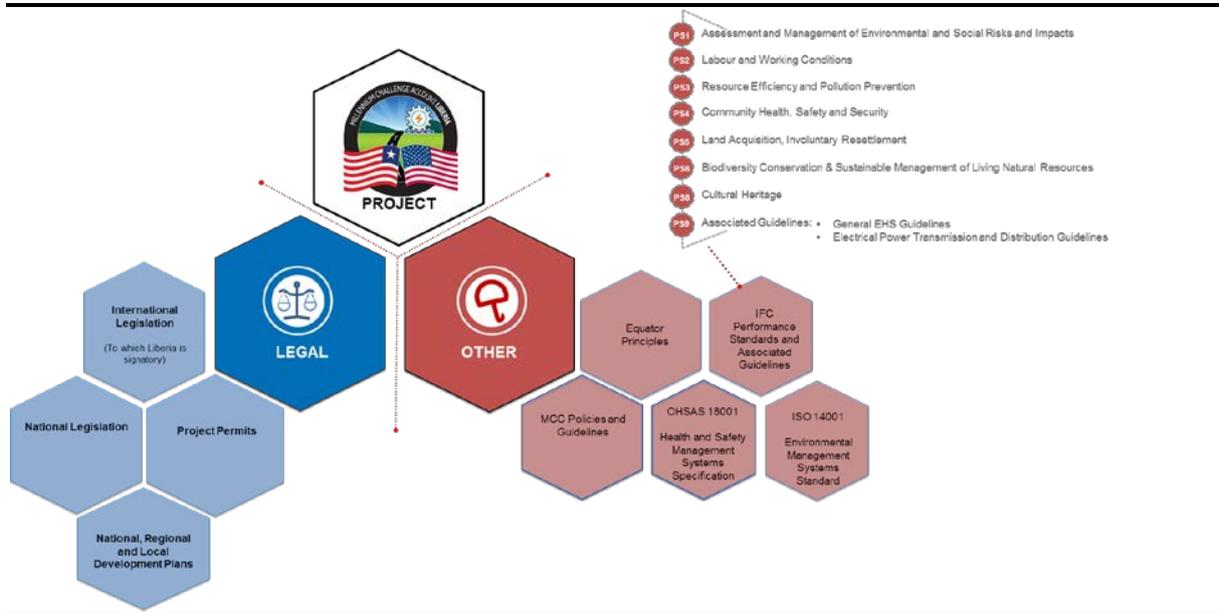
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<sup>2</sup> () ISO 14001:2015: Environmental Management Systems – Requirements with guidance for use

<sup>3</sup> () Note that MCA-Liberia does not require certification to ISO 14001 and OHSAS 18001 but all parties working for, or on behalf of the Project must implement Management Systems that align with the principles and intent of ISO 14001 and OHSAS 18001.



**Figure 4.1 MCA-L Program Standards**



The majority of the MCA-L requirements for plans/procedures are passed to contractors through the procurement processes, and the appointed Contractors must ensure that their systems and processes align with the Compact, the Program Implementation Agreement (PIA), this document, the IFC Performance Standards and any other relevant internationally recognized standards.

The MCA-L Team will review the systems contractors may have in place for managing E&S risks and mitigation for the Program in order to confirm they are aligned with MCA-L's requirements. Contractors must document how they will implement their commitments in delivering E&S management of each Activity.



## 22 ENVIRONMENTAL AND SOCIAL MANAGEMENT

This section sets out the key requirements of the MCA-L E&S Management System to govern its Activities under the Compact Agreement (see Box 2.1).

## 23 MCA-L POLICIES

The following policies are in place at MCA-L:

- *Business Conduct Policies:* Anti-fraud and Corruption Policy, Conflict of Interest Policy and Confidentiality Policy;
- *Procurement Policy:* MCC Program Procurement Guidelines
- *E&S Policies:* Environment and Social and Security Policy (ESS), Social and Gender Integration Policy (SGIP), Social Engagement Policy (under development); and
- *Employment and Human Resources (HR) Policy:* includes health and safety commitments to MCA-L employees, contractors, and third parties acting on behalf of MCA-L.

These policies have been developed to align with international good practice, including IFC standards, and communicate MCA's expectations with respect to environment, social and HR management. In accordance with good practice requirements, policies have developed to reflect the nature and scale of Program risks, focusing on key E&S aspects requiring particular attention and proactive management, and providing the framework for setting and reviewing E&S objectives.

As part of MCA's commitment towards improving environment and community development throughout the project life, environmental, gender, social and health and safety policies will need to be implemented by all associated parties including contractors. All contractors will be required to adhere to MCA's Business Conduct Policies, HR Policy and E&S Policies.

All policies will be communicated to Program personnel as part of the office site induction process to ensure all personnel are aware of their individual E&S obligations. Policies are posted in visible areas on-site and made available to interested parties (on request, and in due course via the website). The HR Policy will be communicated in a culturally appropriate manner to the workforce. MCA-L envisages the policies can be included as a requirement in all contractual documentation.

Policy requirements also transfer to contractors through bid clauses and explicit references to the IFC PS and MCC's Environmental Guidelines. ESMPs/HSMPs also tend to be included the contracts as annexes or by reference.

The policies will be reviewed a minimum of once annually, as part of management review processes and as the need arises - to ensure it is maintained appropriate to the nature and scale of the project and MCA's business objectives.



## 24 OBJECTIVE AND PROGRAMS

The MCA-L policies governing E&S include a number of strategic objectives and commitments, which were defined in consideration of Program Standards, E&S risks, business objectives, and the views of interested parties. The key Program risks and stakeholder priorities are identified as part of the ESIA process in consideration of these policies and the Program context.

In line with MCA-L's commitment to "continual improvement", MCA-L requires all contractors to establish and maintain documented and measurable objectives and targets, which are consistent with the E&S Policy, HR Policy, Program Standards, Program risks and the views of interested parties. MCA-L's commitment for continual improvement, will be monitored by the ESP Director through quarterly reviews to confirm compliance of Compact activities with the requirements of this ESMS, and a periodic (six monthly) review of the ESMS to confirm it remains fit for purpose, and with occasional off-cycle review as deemed necessary by MCC/MCA-L.

Contractors shall establish and maintain appropriate programs to achieve their defined objectives and targets and shall clearly define the responsibilities, actions and timeframes associated with these programs.

As part of Compact mobilization of MCA-L activities, a number of meetings are scheduled to ensure alignment of MCA-L policies by the various contractual parties, including overall commitments and strategic objectives for the Program. In many cases, parties are already aligned as the MCC-Liberia Compact has a policy framework and management procedures that have previously been communicated.

As part of the procurement process, the Monitoring & Evaluation (M&E) team forms part of the technical evaluation panel for Compact Activities, and coordinates with the relevant sector project manager to include Key Performance Indicators (KPIs,) in contractual agreements disaggregated as relevant. MCA-L will develop E&S KPIs which must also be incorporated into contracts.

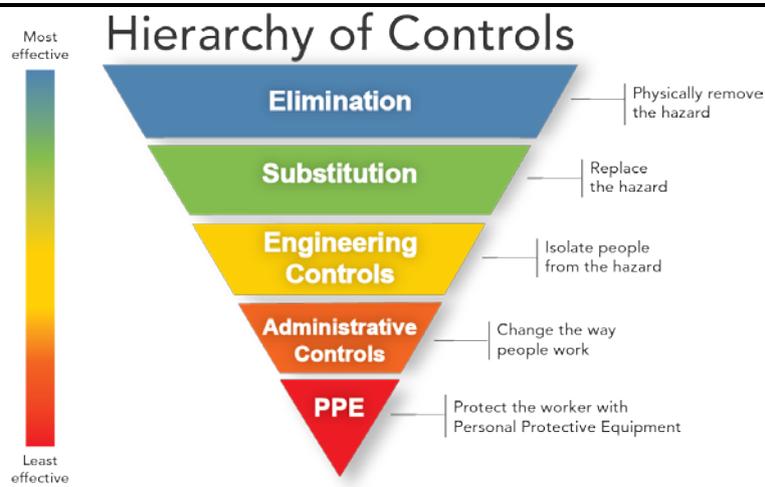
## 25 RISK ASSESSMENT AND MANAGEMENT

MCA-L is committed to the assessment and management of E&S risks associated with the Program. In the management of risks, the mitigation hierarchy must be followed, with effort made to eliminate or avoid the risk or impact, and where this is not reasonably practicable, to reduce or abate it.

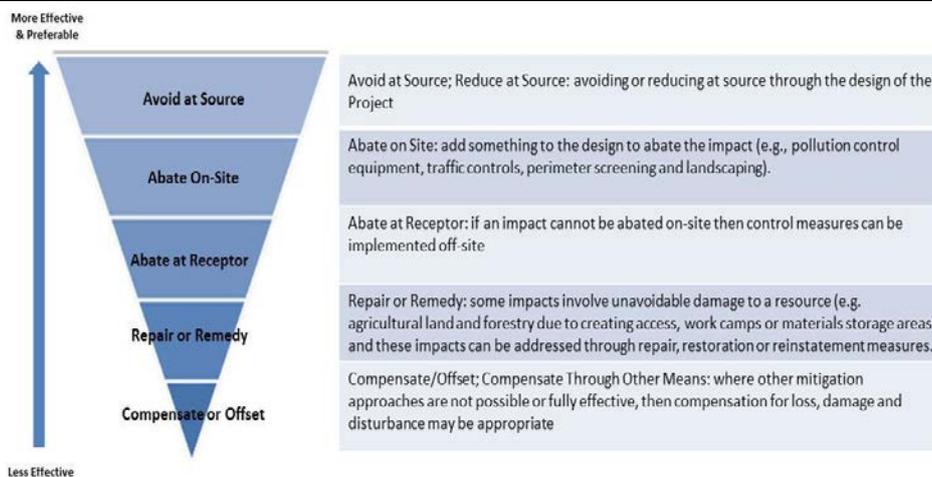
This mitigation hierarchy is presented in Figure 5.1 for health and safety and Figure 5.2 for environmental and social risks. This hierarchy will be adhered to by all parties when devising appropriate mitigation and management strategies and measures in all Program activities.



**Figure 5.1 Mitigation Hierarchy of Control Occupational Health and Safety Risks**



**Figure 5.2 Mitigation Hierarchy of Control for Environmental and Social Risks**



All contractors are required to have a procedure for hazard identification and risk management in order to protect workers, the community and the environment from harm during Compact activities. Each Contractor is required to develop a risk register for their specific scope of work and to keep this up to date. The Contractor must ensure all personnel working for or on their behalf are made aware of the key E&S risks identified as part of the risk assessment process and the measures that they are required to adopt/follow. These processes and documents will typically be included in the ESMP and Health and Safety



Management Plans (HSMPs) that contractors are required to develop as part of their contracts. These need to be project and site-specific.

The risk register, risk management procedures, and risk assessments must be made available to MCA-L for review at all reasonable times. On a monthly basis, MCA-L and the Contractor will review the most significant risks and associated mitigation and management measures, and will consider external risks as part of these reviews. This will include a review of material changes in the Area of Influence and where identified, the implications on the risk register shall be assessed with the Contractor. Pertinent information will be included in the regular progress reports from MCA-L, where relevant.

## **26 TRAINING, COMPETENCY AND AWARENESS**

MCA-L's training programs are led by the HR Function in coordination with the various Directors for each department. Surveys of its employees are undertaken to identify common training needs. MCA-L's office induction is being developed within the HR Manual to define the introductions to staff on the general safety and emergency procedures of the office and fieldworks. All training provided is tracked and managed by the HR Director.

MCA-L in partnership with its Contractors, is committed to providing the competencies to effectively manage E&S through measures including:

- Clear definition of critical E&S roles and responsibilities;
- Interview processes and consultancy selection processes;
- Ongoing training and development activities; and
- Use of external specialist support, where appropriate.

MCA-L will work with the Contractors to understand any additional training needs which may be required. Any material gaps in training/competency will be identified prior to commencement of the contracted scope of works, and addressed as required. As a minimum, all workers will receive general orientation training on site H&S procedures and arrangements through inductions, toolbox talks and weekly refresher sessions. These will be communicated using non-technical language and in the worker's language. Additional training specific to individual roles will be identified and arranged for all relevant workers.

MCA-L will communicate its requirements and competency expectations to contractors during the contracting process. They will be required to provide information to demonstrate the competence and training of its workers in particular those who will be required to undertake tasks that are safety-critical.

## **27 DOCUMENTATION AND RECORD CONTROL**

MCA-L will maintain appropriate levels of documentation to demonstrate compliance with Program Standards and donor's requirements as set out in this document. A document and record management system will be established by MCA-L to manage E&S documentation in



line with the requirements of ISO 9001 (Quality Management System) and other international standards as appropriate (i.e. ISO14001 and OHSAS 18001 (to be renamed ISO45001)).

Contractors working for MCA-L are required to operate an Open File Policy for all E&S documentation in order that MCA-L representatives can review any aspect of the Project E&S documentation within a reasonable timeframe.

## **28 MANAGEMENT OF CHANGE**

MCA-L recognizes that changes will occur in relation to the Activities and operations and these may have the potential to impact the environment, communities, and the health and safety of workers. To the extent possible, such changes will be proactively identified and managed. A Change Management process will be established and communicated to MCA-L management staff and to contractors to ensure that such changes are appropriately identified, assessed, managed and communicated.

## **29 COMMUNICATION, CONSULTATION AND STAKEHOLDER ENGAGEMENT**

### **30 *ENGAGEMENT WITH PERSONNEL***

Weekly progress meetings are chaired by the DCEO to review the progress of MCA-L activities as managed by the various directors. In addition, staff feedback is encouraged through open communications (discussions, emails) to bring forward ideas and concerns for consideration.

MCA-L is developing human resource (HR) management procedures to formalize the governance and provisions under Liberian Labor Laws and Working Conditions. Terms for employees of MCA-L relating to labor and working conditions are detailed in their employment contracts. These arrangements will be aligned with MCC's new IFC PS2-compliant HR Manual that will be rolled out in Liberia. Training has been delivered by MCC staff and consultants as part of the roll out.

Where any issues arise, the HR Manager acts in accordance with established HR procedures to resolve the issues with staff. Where these remain unresolved, there is a defined escalation pathway for workers to raise any grievances, up to the Board of Directors at MCA-L as appropriate. There are currently no trade unions represented within MCA-L.

MCA-L has developed a grievance mechanism for the management of grievances raised by staff (including permanent as well as fixed term/agency/contract workers) in accordance with the provisions of IFC Performance Standard 2 for Labor and Working Conditions. MCA-L will work with suppliers of agency and contract workers to ensure that grievances raised by them are managed appropriately.

Contractors are required to implement a grievance mechanism compliant with IFC PS2 to manage grievances raised by their workers. This should also be available to any agency/fixed term contract workers.



### **31 EXTERNAL STAKEHOLDER ENGAGEMENT**

MCA-L is committed to proactive stakeholder engagement as an essential part of good business practices and corporate citizenship, and a way of improving the quality of the Program. All stakeholder engagement initiatives are led and managed by the MCA-L Director of Communications, and each sector director is expected to coordinate their stakeholder engagement activities with the Director of Communications to ensure consistency of messaging. MCA-L's Communication Strategy outlines the different stakeholders with whom MCA-L engages, and this includes Program Affected Persons (PAPs), women, youth, and government agencies. This Communications Strategy will inform the engagement on an ongoing basis. A stakeholder list has been generated by the Director of Communication in coordination with other MCA-L directors in alignment with MCC guidelines. The stakeholders were plotted into a matrix of function vs financial factors to review and prioritize those for engagement activities. This list will be housed on MCA-L's public website.

Building on the Communication Strategy, MCA-L will develop a Social Engagement Policy to integrate the engagement of private sector, community and GoL (see Section 5.1). For the formal stakeholder engagement sessions, MCA-L is in the process of selecting options for stakeholder groups (at national level and/or local areas within the AoI) most appropriate to deploy its strategy. Terms of References for the stakeholder groups have been drafted by MCA-L to define the committee purpose and activities, as an information tool for the local communities. MCA-L has issued letters to communities to confirm the stakeholder groups will be set up, with the selection process of members to take place in 2017.

#### **31.1.1.1 General Communications with External Stakeholders**

MCA-L has established a website <sup>(4)</sup> to provide transparency and information disclosure to the wide range of stakeholders, GoL agencies and MCC. The website is maintained under the MCA-L Communication Strategy and oversight of the Director of Communications. MCA-L's website will be updated regularly (daily, weekly, monthly and quarterly) as appropriate with the following contents:

- Procurement opportunities, award notices, and signed contracts;
- Project updates;
- Financial commitments and review of expenditure;
- Memos of Board Members personnel, together with summaries of the MCA-L Management Team qualifications;
- Dedicated webpages per Director to upload information relevant to their activities;
- Linked Facebook page with job vacancies, photos, short update articles for the public; and
- Linked public media monitoring for articles on MCC / MCA-L / associated projects.

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<sup>4</sup>MCA-Liberia website located at <http://www.mca.gov.lr/index.php?lang=en>



In addition, MCA-L will utilize town hall meetings, legal announcements via community radio stations, town crier, and community leaders (town chief / village elders / local school teachers) to disseminate information to reach a wider group of the public.

#### *31.1.1.2 Engagement with Government Organizations*

The Director of Communications at MCA-L is responsible for principle day to day engagement with the relevant government agencies, which forms MCA-L Board, though all MCA-L staff should be engaging with their respective IEs. Meetings between MCA-L and the MCA-L Board should be scheduled on a quarterly basis. Factsheets are exchanged during these meetings to outline the Activity progress, gaps and next steps by MCA-L.

MCA-L is planning to establish a Communication Working Group to meet on a quarterly basis with LEC, MPW, EPA, MSGI, and representatives of the Housing Ministry and Senate as key members. This working group will share information on the Implementing Entity Agreements progress, and receive updates on the other working group members' progress on their various activities under the Program. MCA-L also aims to include the sharing of ambassador speeches plans to coordinate the disclosure of Compact information and consolidate communications.

In addition, the Compact allows for MCA-L to establish Stakeholder Committees (as requested by the CEO or Board of Directors) to provide screening and advise on E&S and other issues as required.

#### *31.1.1.3 Engagement with Communities*

MCA-L recognizes that effective community engagement is central to the successful management of risks and impacts on communities affected by the Program, as well as central to achieving enhanced community benefits.

Within stakeholder groups at community levels, MCA-L and the contractors will appoint field-based volunteer Community Liaison Officers (CLOs) to manage community-level communication, to facilitate announcements for meetings, and participate in and be trusted points of contact with community members. The CLO selection process will be disclosed to the community and feedback will be sought from community members in relation to the work of the CLO.

For each Compact activity, the Director of ESP, in collaboration with the GSI Director, will coordinate with the Director of Communications to compile an activity-specific Stakeholder Engagement Plan (SEP) in alignment with the Communication Strategy, disclosed to all appointed contractors conducting the ground-level works. Contractors under MCA-L are expected to implement a Community Grievance Mechanism for their construction phase of the Activity to align with the Grievance Mechanism to be established by MCA-L. MCA-L will review the community grievances recorded by their contractors through the Contract Administration process, to provide oversight and report through MCA-L ITT regular bulletins.



#### 31.1.1.4 External Stakeholder Grievance Mechanism

MCA-L has set up a dedicated phone line for all its activities to collate and record the issues raised and for gathering external stakeholder grievances. The phone line is available on the website and shared via stakeholder engagement meetings and messages. In addition, grievances are reported through email and CLOs. The grievance records are reviewed by a Grievance Redress Panel for resolution and action as appropriate. MCA-L will develop a protocol to ensure a systematic, appropriate and fair compensation arrangements as part of the grievance management process.

#### 31.1.1.5 Engagement with Contractors & Agents

MCA-L has procurement processes in place for the fair and transparent appointment of Contractors and Agents for the variety of works and activities under the Program. These processes are managed by the Director of Procurement, with a Technical Evaluation Panel (TEP) selected to review the tenders and bids.

Once a contract is awarded, MCA-L will allocate a Contract Manager (from its Directors) to manage and administrate the completion of works by the Contractor. A Contract Administration Manual is being drafted to outline the procedural requirements for on-going contractor management. This manual is based on MCC's Program Procurement Guidelines <sup>(5)</sup>.

Regular progress meetings will be held on numerous elements, including E&S aspects of the activity. The elements are defined in the Contractor TOR and contract, and include:

- E&S performance in line with the ITT indicators;
- Arrangements for E&S impact mitigation and implementation (as contained in ESIA and ESMPs where they have been written, and transferred into bid clauses and contractual requirements); and
- Community grievances associated with the activity received by the Contractor and MCA-L.

## 32 CONTRACTOR MANAGEMENT

MCA-L requires its contractors to operate in accordance with the requirements of this document, supporting documentation and site instructions. MCA-L will audit contractors' compliance with these standards on a monthly basis. The evaluation will be documented and the Contractor will be required to take action to respond to any non-compliance that is identified. In addition, MCA-L will conduct informal audits and site inspections, and will formally stop work if there is evidence of non-compliant work activity. In a stop-work situation, the contractor(s) will need to adopt suitable and sufficient corrective actions before work will be permitted to restart.

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<sup>5</sup>() <https://www.mcc.gov/resources/doc/program-procurement-guidelines>



MCA-L also requires its contractors to review the effectiveness of their own E&S management arrangements at periodic intervals. Records of audits and monitoring activities will be provided to MCA-L on request.

In addition to formal audits and evaluations, inspections of the different work areas of the construction sites under each Activity will be undertaken on a routine basis, with each work area being inspected at least weekly. The inspections will be conducted by the Supervision Engineer and will involve contractor and subcontractor representatives as appropriate.

### **33 ENVIRONMENTAL AND SOCIAL MANAGEMENT CONTROLS**

MCA-L requires its contractors and subcontractors to identify activities with the potential to cause E&S impacts, and implement appropriate controls. These controls will include effective supplier and contractor management procedures controlling purchase of goods, equipment and services, control of any workplace visitors and stipulated operating criteria. Specific management and mitigation measures to be implemented by the Contractor as part of day-to-day management of operations are summarized below.

Management of day-to-day site activities (and associated environmental and social risks and impacts) during the design and construction phase will be led by the appointed contractor, with oversight from the Supervision Engineer. The Contractor must ensure all subcontractors adhere to the requirements set out in this ESMS document and other supporting documentation. MCA-L reserves the right to review any contractor documentation which relates to management of E&S risks. The ongoing review and approval process for critical risks and operational controls will be an integral part of the review processes outlined in MCA-L's Contract Administration Manual, and will also be embedded into MCA-L contracts.

Individual procedures will be developed for the management of specific environmental and social aspects and impacts. These will include consideration of all significant impacts and associated mitigation in the ESIA (or on request by MCA-L given the knowledge of the Program activities and project affected area) as well as the general considerations outlined in the World Bank General EHS Guidelines.

### **34 MANAGEMENT OF LABOR AND WORKING CONDITIONS**

MCA-L requires all Contractors to have arrangements in place for managing labor and working conditions in accordance with all relevant legal requirements and IFC Performance Standard 2. General aspects to be managed by MCA-L and all Contractors in alignment with the new MCC HR Manual (e.g. in relation to sexual harassment, as well as health and safety); IFC PS2 and the associated General EHS Guidelines are summarized in Table 5.1.



**Table 5.1 Labor and Working Conditions**

Aspect	Key Conditions
Recruitment	Recruitment strategy, policy and process for locally sourced staff as well as foreign workers.
Worker Relationships	Arrangements for managing worker relationships, including collective bargaining and worker organization; and employee consultation, communication and participation.
Grievances	Worker grievance mechanism for workers to raise feedback, complaints and grievances.
Non-Discrimination	Fair treatment, non-discrimination and equal opportunity including gender sensitivity in the workplace and with respect to recruitment, compensation, termination, upgrading, promotions, and other working conditions or terms of employment.
Vulnerable Workers	Protection of vulnerable workers including those in the supply chain, including children, migrant workers and workers engaged by third parties, and measures to avoid the use of forced labor.
Work Environment	Provisions for a safe and healthy work environment – see Table 5.2 below.

Aspects relating to the management of risks in the work environment are presented in Table 5.2 below for each Compact activity. Content is based on the IFC General EHS Guidelines (obtained from [www.ifc.org](http://www.ifc.org)). This is not a comprehensive list, and should be updated as part of the regular quarterly ESMS reviews.

**Table 5.2 Work Environment Conditions for Compact Activities**

Aspect	Key Conditions	Relevant Compact Activities
Worker Welfare	Supply of drinking water Sanitary conveniences (toilets and handwashing facilities) Shaded rest area Means of storing food and water in hygienic, temperature-controlled conditions Hard hats, reflective jackets, and eye protection to be provided to staff	All office-based activities Community Engagement (in relation to MCHPP Rehabilitation and Support Activities) Construction of LEC training center Road maintenance.



	Staff are expected to provide their own protective footwear (thus guidance must be provided by MCA-L on minimal standards, and provide on-site health and safety briefings to communicate risk areas)	
Remote Site Flora and Fauna	Availability of protective clothing (e.g. snake gaiters, closed toe shoes/boots, gloves) Availability of insect repellent, availability of anti-venom and post-exposure vaccinations (e.g. for rabies) First aid and emergency preparedness (see below).	Remote site work (e.g. MCHPP Rehabilitation and Support Activities; construction of LEC training center; road maintenance)
First Aid and Emergency Preparedness	Availability of qualified First Aid Staff Handling and disposal of medical waste First Aid Equipment (accessibility, maintenance) including appropriate personal protective equipment Written emergency plan Availability of support services (police, fire, ambulance)	All office-based activities Community Engagement (in relation to MCHPP Rehabilitation and Support Activities) Construction of LEC training center. Road maintenance
Physical Agents	Protection against exposure to the following: <ul style="list-style-type: none"> <li>● Electrical risks and other sources of energy.</li> <li>● Hazards associated with rotating and moving machinery and equipment.</li> <li>● Elevated levels of noise and vibration.</li> <li>● Thermal stress associated with exposure to high temperatures (e.g. working outside without shade).</li> <li>● Vehicles and driving (as a driver, passenger and pedestrian).</li> <li>● Manual handling and repetitive strain.</li> <li>● Working at height / Dropped Objects / Cranes and Lifting Equipment.</li> <li>● Confined space working and Excavations.</li> <li>● Illumination (natural and artificial).</li> </ul>	Construction of LEC training center Road maintenance Office-based activities



Chemical Agents	<p>Risk assessments to identify hazards and control measures.</p> <p>Procedure for handling and use of paints, oils and solvents.</p> <p>Control of exposure to dust, particulates and welding fume.</p> <p>Storage and secondary containment of hazardous liquids.</p> <p>Safe handling practices.</p> <p>Provision of information and instruction to workers.</p>	<p>Construction of LEC training center.</p> <p>Road maintenance.</p>
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### 35 COMMUNITY MANAGEMENT

MCA-L is obliged to manage the social impacts of the Compact and its activities in accordance with legal requirements and the requirements of IFC PS 4, 5, 6 and 8. In most cases, this obligation will be fulfilled by MCA-L’s contractors who will have to implement arrangements that provide for the conditions presented in Table 5.4. In addition, MCA-L and its contractors require arrangements to be established and followed for responsible employment, procurement and social investment in order to achieve positive development benefits for host communities.

**Table 5.4 Social Management Conditions**

Aspect	Key Considerations	Relevant Compact Activities
Stakeholder Engagement	See Section 5.7.2	<p>MCHPP Rehabilitation and Support Activities</p> <p>Construction of LEC training center</p> <p>Road maintenance</p>
Community Health and Safety	<p>Specific management measures relating to protection of community health and safety in accordance with the requirements of IFC PS4:</p> <ul style="list-style-type: none"> <li>● Prevention of unauthorized access to construction sites.</li> <li>● Implementation of a traffic management plan (see below).</li> </ul>	<p>MCHPP Rehabilitation and Support Activities</p> <p>Construction of LEC training center</p> <p>Road maintenance</p>



	<ul style="list-style-type: none"> <li>• Carrying out of activities that generate noise, dust, vibration and use of heavy machinery during normal working hours only and not at night-time or the weekend.</li> <li>• Consideration of communities in the planning and preparedness of emergency scenarios.</li> <li>• Management of community interfaces in the siting, development and management of worker camps in relation to potential health and psychosocial impacts.</li> </ul>	
Traffic Management	<p>Development and implementation of on and offsite traffic management plan that covers:</p> <ul style="list-style-type: none"> <li>• Abnormal load movements.</li> <li>• Transport of hazardous substances (e.g. fuel oil).</li> <li>• Regular maintenance of vehicles and access roads.</li> <li>• Scheduling of works traffic to avoid peak hours on local roads.</li> <li>• Driver training to ensure safe driving by project personnel.</li> <li>• Transportation of construction workers to/from construction camp.</li> <li>• Raising awareness among Project staff of vehicle and road safety.</li> <li>• Engagement with communities to identify key traffic risks, 'hotspots', crossing points etc.</li> <li>• Emergency procedure.</li> <li>• Adequate signing, warnings and controls.</li> <li>• Parking and on-site traffic movement.</li> </ul>	<p>All Compact activities involving the use of light vehicles</p> <p>MCHPP Rehabilitation and Support Activities</p> <p>Construction of LEC training center</p> <p>Road maintenance</p>
Security and Asset Protection	<p>Safeguarding of assets and personnel in a manner that respects human rights and does not present risk to affected communities. Security arrangements must adhere to the International Convention for Human Rights. The Contractor is responsible for making arrangements for personnel and asset security</p>	<p>Office-based activities</p> <p>MCHPP Rehabilitation and Support Activities</p> <p>Construction of LEC training center</p> <p>Road maintenance</p>



	(including construction areas and worker camps) relating to their contracted activities.	
Emergency Preparedness	<p>As part of the planning and preparedness for emergency situations, arrangements must be in place to:</p> <ul style="list-style-type: none"> <li>● Assess the potential risks and impacts from project activities and related to the locations of project activities (including natural disasters and geopolitical risks).</li> <li>● Engage with affected communities and inform them of significant potential hazards in a culturally appropriate manner.</li> <li>● Assist and collaborate with the community and local government agencies in their preparations to respond effectively to emergency situations.</li> <li>● Play an active role in providing support to local communities if local government agencies have little or no capacity to respond effectively.</li> <li>● Prepare a documented emergency preparedness and response plan and share relevant information to affected communities and relevant government agencies.</li> </ul>	<p>MCHPP Rehabilitation and Support Activities</p> <p>Construction of LEC training center</p> <p>Road maintenance</p>
Cultural Heritage	<p>Safeguarding of tangible and intangible cultural heritage in accordance with the requirements of IFC PS8.</p> <p>Although cultural heritage of key ancestral or archaeological significance has not been discovered, Contractors will work in accordance with a Chance Finds Procedure aligned with IFC PS 7.</p>	<p>MCHPP Rehabilitation and Support Activities</p> <p>Construction of LEC training center</p> <p>Road maintenance</p>



### 36 MANAGEMENT OF ENVIRONMENTAL ASPECTS

MCA-L requires all Contractors to have arrangements in place for environmental management and protection of natural resources in accordance with all relevant legal requirements and the IFC Performance Standards. Key requirements for environmental aspects most likely to be of relevance to the different Compact activities are presented below in Table 5.3. There may be additional aspects that are not referenced below that relate to the specific requirements of ESIA's and ESMPs.

**Table 5.3 Environmental Aspects for Compact Activities**

Aspect	Key Considerations	Relevant Compact Activities
Air Quality	<p>Maintenance of diesel-powered equipment to manage emissions of exhaust gases</p> <p>Dust suppression measures e.g. water spraying on unpaved surfaces, access roads.</p> <p>Good housekeeping</p> <p>Adherence to vehicle speed limits</p> <p>Prohibition on burning of waste.</p>	<p>All Compact activities involving the use of light vehicles</p> <p>Use of heavy plant and equipment for construction of LEC training center</p> <p>Road maintenance</p>
Soil Management	<p>Minimization and management of land clearance.</p> <p>Protection against risks of soil erosion and loss of topsoil.</p> <p>Management of borrow pits and spoil dumps (waste soil/rock).</p> <p>Measures for slope stabilization, sediment control and subsidence.</p> <p>Provision of adequate drainage systems to minimize and control infiltration.</p> <p>Reinstatement of vegetation/ground cover.</p>	<p>Road maintenance</p>
Water and Wastewater Management	<p>Sourcing of potable water for workers</p> <p>Sourcing of water for construction activities (including dust suppression) and future operational activities</p> <p>Sanitary wastewater management at construction camp and other remote work sites</p>	<p>Office-based work</p> <p>Remote site work (e.g. MCHPP Rehabilitation and Support Activities; construction of LEC training center; road maintenance)</p>
Waste Management	<p>Waste collection and storage</p> <p>Waste segregation and recycling</p>	<p>All office-based activities</p> <p>Construction of LEC training center</p>



	<p>Waste disposal options</p> <p>Use of licensed waste contractors and waste facilities</p> <p>Chain of custody documentation</p>	Road maintenance
<p>Protection and conservation of biodiversity and natural resources</p>	<p>Adoption of measures for the protection and conservation of habitat (natural/modified/critical) including those contained in the project ESIA and the ESAP.</p> <p>For any activities taking place in legally protected and internationally recognized areas, arrangements must be in place for compliance with all relevant requirements for their protection.</p> <p>Prevention of the introduction (accidental or intentional) of invasive alien species of flora and/or fauna.</p> <p>Management and mitigation of potential impacts on ecosystem services.</p> <p>Implementation of management and mitigation measures as defined in the Project ESIA.</p>	<p>MCHPP Rehabilitation and Support Activities</p> <p>Construction of LEC training center</p> <p>Road maintenance</p>



### **37 PERFORMANCE MONITORING AND EVALUATION**

As per MCC Policy for Monitoring and Evaluation (M&E), MCA-L develops an M&E Plan for each compact that outlines a country's approach to monitoring, evaluating, and assessing progress towards compact objectives.

### **38 DAILY MEDIA REVIEWS**

The public media / news and articles are reviewed by the Director of Communications to review press coverage on the MCA-L activities or the wider Program / MCC-Liberia Compact. These reviews are documented and shared with MCC, and the GoL official responder to give a daily review on the Program performance disclosed / made public through media articles.

### **39 WEEKLY PROGRESS REVIEWS**

MCA-L's DCEO leads formal weekly meetings for each department to review the items listed below (as a minimum). Minutes will be taken and issued to all attendees as well as the CEO who will also attend the meetings when feasible.

- Summary of Compact progress and key achievements;
- Compact Exceptions (work programmed but not achieved with reasons for non-achievement);
- Issues and remedial actions taken;
- Planned activities for the forthcoming week and any anticipated issues or concerns; and
- Indicator Tracking Table (ITT) with the relevant MCC counterpart for comments and feedback.

### **40 COLLECTION OF PERFORMANCE DATA**

E&S Key Performance Indicators (KPIs) to measure progress of E&S Management under the Compact will be managed by ESP, and may be integrated into the Compact M&E Plan and Indicator Tracking Table (ITT), as appropriate. Indicators will be developed by contractors to monitor contract performance, and relevant ones will be added to the ITT after discussing with MCC and MCA-L M&E teams. Monthly performance data is collected from the Implementing IEs as well as internally to MCA-L. KPIs will also be included in ESMPs and HSMPs (as well as works contracts). MCA-L requires data to be collected to monitor and report contractor performance as well as Compact performance. KPIs must reflect both leading and lagging indicators of Compact performance.

Site visits for data collection / verification and checks are coordinated across the MCA-L Directors to share the responsibility for collecting data relevant to their area of expertise. M&E awareness training will be developed and delivered for MCA-L staff and Compact IEs as they will be providing the raw data.

Data assurance on the performance data reported against the Compact M&E Plan is conducted on a routine basis, with the M&E function of MCA-L conducting internal checks on data quality, which may involve site visits to interrogate data and data systems of the



Implementing Entities. MCC has defined several data criteria that are used by the M&E team as part of this data quality review.

All equipment calibration on relevant measurement equipment will be undertaken by those conducting the measurements. MCA-L will include calibration checks with the data owners in the course of their data quality review.

#### **41 PERFORMANCE AUDITS**

The MCA-L ESP Director (or other designated officer) will visit all project sites at least once every three months, or more frequently as deemed necessary by MCA/MCC, to review the E&S performance of the contractor. Results of the performance reviews will be reported to the contractor and escalated appropriately if any issues are identified. Corrective actions will be recorded and tracked through to closure through the development of issues and risk tracking forms.

#### **42 INCIDENT/NON CONFORMITY REPORTING AND RESOLUTION**

MCA-L operates a 'stop work' arrangement which means that work may be stopped at any time if there is reason to believe that there is a risk to public health and or safety and such incident is reported to a supervisor or manager. During a stop work order, a process will need to be put in place to identify corrective actions and resume work once these have been put in place. MCA-L will define the stop and start work approvals process through contract provisions.

Incidents and nonconformities relating to activities being managed by a contractor will be reported to MCA-L's ESP Director using a standard incident reporting form. The incident/nonconformity reporting process will be communicated as part of Program induction training prior to any individual commencing work for, or on behalf of, the Program, and included in contract documents as relevant.

Any accidents resulting in personal harm or injury, high potential near-misses, a legal non-compliance, or significant environmental or community impact, and/or an exceedance of an IFC performance standard or threshold will be recorded as an incident and will be reported immediately (within 12 hours) to MCA-L. MCA-L will report incidents and accidents in accordance with MCC and regulatory requirements.

Root cause analysis will be undertaken to determine the underlying causes of all such accidents and incident by the Contractor, and undertake remedial actions as appropriate. Incident reports will be provided formally to MCA-L for discussion in Contract Administration meetings.



#### **43 PERFORMANCE REPORTING AND MANAGEMENT REVIEW**

##### ***MONTHLY PERFORMANCE REPORT***

Contractors will prepare and issue a Monthly Progress Report to MCA-L's nominated Contract Manager representative to formally provide an update on the Activity. The format shall be as mutually agreed. Any changes in the format during the course of execution of the project shall be mutually discussed amongst the parties involved and suitably modified and adopted by the Contractor.

The Monthly Progress Report will include EHS and Social performance data along with other performance data (for Engineering, Procurement, Construction and Overall) for the preceding reporting period. The report shall be issued to the MCA-L nominated Contract Manager by an agreed date each month, as identified in the contract.

##### **44 QUARTERLY PERFORMANCE REPORT**

MCA-L also prepares a quarterly report to MCC on the performance and progress of the Compact, which is supported by the ITT showing overall performance against the Compact's KPIs.

##### **45 MANAGEMENT REVIEW**

MCA-L's ESP Director and senior leadership team will periodically review the overall E&S Performance of the Compact. The review will take into account the results of internal and external audits, incidents, regulatory developments, communications with external parties etc.

This review process will take place in collaboration with the CMC, IEs, LEC and their contractors as appropriate. MCA-L's senior management will agree actions, if any, to ensure its Policies, ESIA Commitments, this ESMS and associated procedures and practices remain fit for purpose, are implemented and effective.



**Annex B: ESMP Template**

To be customized to account for the unique risks and appropriate mitigation measures specific to each Compact activity

Environmental/Social Concern	Mitigation Measures	Institutional Arrangements			Cost Estimate	Timing
		Implementing	Responsible	Supervising		
<b>DESIGN PHASE</b>						
Income reduction of businesses and shop keepers and vendors		Who?	Who?	Who?	Design Cost \$	Dates...
Hydrological Impacts						
Accessibility						
Soil Erosion						
Contaminated Soil						
Landslides						
Impact of Burrow Pits, Quarries and Waste Disposal						
<b>CONSTRUCTION PHASE</b>						
Inadequate environmental awareness of workers						
Water Quality						
Air Quality/Dust						
Noise/Vibration						
Soil Erosion and soil contamination						



Landscape degradation and soil erosion						
Handling and Storage of Hazardous Materials						
Spoil and Construction Waste Disposal						
Damage to Historic/Cultural Monuments						
Work Camp/ Temporary Yard Operation and Location						
Worker safety						
Traffic Management and Construction Safety						
Social Impacts						
<b>OPERATIONAL PHASE</b>						
Air Quality						
Noise Level						
Road Safety						



*Annex C: Environmental and Social Impact monitoring plan template*

Phase	Parameters to be monitored	Monitoring Location	Monitoring method	Time of Monitoring	Cost	Monitoring Agency
Design						
Construction						
Before and During Construction and After Construction						
Operation						



*Annex D: Complete list of roles and responsibilities of each of the MCA-L key staff positions:*

## **CHIEF EXECUTIVE OFFICER (CEO)**

### Reports to: NA

- Serve as the official point of contact on behalf of the Government of Liberia (GoL) in its relations with MCC.
- Represent the Compact program to the Liberian public and program partners and serve as the lead representative of MCA-Liberia to the donor community, civil society, the private sector, and other constituencies.
- Report to the Board of Directors on a regular basis to apprise the Board of progress, issues, and risks related to the implementation of the Compact program.
- Execute overall guidance and instructions from the Board of Directors to implement the Compact in a timely and effective manner.
- Provide high-level executive leadership and management for MCA-L.
- Provide guidance and advice, and when needed, manage and coordinate development of the implementation plans of MCA-Liberia, including final approval of the budgets, work plans, procurement plans, disbursement request packages, and monitoring and evaluation (M&E) plans related to the Compact program; and recommend these to the Board of Directors and MCC for their approval.
- Work closely with the senior leadership of relevant government units to ensure dissemination of critical information, commitment of resources, and the timely progress related to policy and regulatory reforms related to the Compact program.
- Direct, motivate, and coordinate the various divisions of MCA-Liberia towards achieving their objectives and targets.
- Oversee the selection process of the MCA-L staff, especially, at the management level.
- Carry out any other responsibilities delegated by the Board of Directors of MCA-Liberia

### CEO will also:

- Provide overall supervision of all compact project activities and ensure timely and successful implementation in keeping with the Compact Agreement, Program Implementation Agreement (PIA), and MCC's ESP and GSI policies.

To ensure clear communication and coordination of the Compact investment in the Mt. Coffee Hydropower Project (MCHPP), the DCEO will oversee the Compact investment activities and report regularly on the progress, risks, and opportunities for improvements to the MCHPP.



## DEPUTY CHIEF EXECUTIVE OFFICER (DCEO)

### Reports to: **Chief Executive Officer (DCEO)**

- Serve as the Deputy to the CEO and assist in providing high-level executive leadership and management for MCA-Liberia.
- Report to the CEO on a regular basis on progress, issues, and risks related to the implementation of the Compact program.
- Provide guidance and advice, and when needed, manage and coordinate development of the implementation plans of MCA-Liberia.
- Provide representation for the Compact program to the Liberian public and program partners, including the donor community.
- Assist the CEO in executing overall guidance and instructions from the Board of Directors to implement the Compact in a timely and effective manner.
- Work closely with the senior leadership of relevant government units to ensure dissemination of critical information, commitment of resources, and the timely progress related to policy and regulatory reforms related to the Compact program.
- Direct, motivate, and coordinate the various project divisions of MCA-Liberia towards achieving their objectives and targets, including direct supervision of the Directors of Energy, Roads, Environmental and Social Performance, Gender and Social Integration, and Private Sector Development.
- Work with relevant Ministries and cooperating partners to ensure that Conditions Precedent related to the Energy and Road Projects are met in accordance with the set time frame.
- Ensure clear communication and coordination of the Compact investment in the Mt. Coffee Hydropower Project (MCHPP), and oversee the Compact investment activities and report regularly on the progress, risks, and opportunities for improvements to the MCHPP.
- Manage all activities related to the Compact investment in the MCHPP.
- Coordinate with the MCA-Liberia team, relevant Implementing Entities, and other cooperating partners, to execute the activities under the MCHPP project funding.
- Provide information and reports on the implementation progress of the MCHPP. ● Identify resource requirements, bottlenecks, risks, and mitigation strategies, and report accordingly.
- Effectively manage relationships between MCA-Liberia, Liberia Electricity Corporation (LEC), MCHPP Project Implementation Unit (MCHPP PIU), the Ministry of Land, Mines and Energy (MI-ME), the Presidential Delivery Unit (PDU) and any other cooperating partners involved in implementing the MCHPP.
- Evaluate reports from implementing entities on implementation progress and provide technical support to keep the MCHPP on-track.
- Prepare, update and monitor all relevant project management tools for MCA-Liberia and MCC reporting activities including but not limited to: work plans (schedules), procurement plans, detailed financial plans (budgets), risk management plans and scoping documents (activity descriptions, terms of references, etc.)
- Provide technical inputs to disbursement requests, terms of reference, bidding documents, technical evaluation reports, and progress reports as required. Coordinate integrated team input on progress reports and updates.



- Effectively manage contracts for consultants and contractors implementing activities under projects outside but related to the MCHPP; these include but are not limited to: guidance and support; review and approval of deliverables; review and approval of invoices and change orders; and coordination and facilitation with key stakeholders to obtain information, approvals, and permits.
- Coordinate with the ESP Director to ensure the correct application of the MCA-Liberia and Government of Liberia environmental guidelines, policies and regulations in the execution of all MCHPP activities.
- Coordinate with operations maintenance & training (OMT) Environmental Officer and relevant staff to keep abreast of environmental and social challenges associated with MCHPP operations.

## **ENERGY PROJECT DIRECTOR**

### **Reports to: Deputy Chief Executive Officer (DCEO)**

To ensure timely and efficient implementation of the Energy Project (the Project), the Energy Project Director will oversee the energy activities set forth in the Compact and manage communications around their development, implementation and completion.

The activities of the Energy Project Director are the LEC Training Center Activity and the Capacity Building and Sector Reform Activity.

- LEC Training Center Activity - The proposed LEC training center and technical and vocational education training centers (TVETs) (namely, the Booker T. Washington Institute and the Monrovia Vocational Training Center) will form the core base for training of technicians in the electricity sector. The training center will provide four areas of core training: (i) linesmen, (ii) electrical, (iii) mechanical and (iv) hydroelectric plant operation and maintenance. The proposed training center will also provide training facilities for the commercial, administrative and financial staff of the company as well as provide occasional specialized training seminars.
- Capacity Building and Sector Reform Activity - The Capacity Building and Sector Reform Activity aims to provide support to the key institutions responsible for policy making, investment planning, asset management, and environmental and social oversight – namely MLME, LEC and the Environmental Protection Agency (EPA). With considerable donor financing secured for new transmission, distribution and generation infrastructure as well as residential and commercial connections, the proposed activity and its components have been developed to complement support programmed by sector stakeholders. These components include:
  - support for the standing up of an independent regulatory authority for the electricity sector,
  - support for the EPA,
  - supportive studies to the electricity sector,
  - strengthen gender, social and environment unit and their planning capacity within MLME and LEC, and
  - scaling up productive uses of electricity and income of youth and women owned SMEs



## Responsibilities

- Manage all activities related to the Energy Project whose areas of interest the list of components above.
- Coordinate with the MCA-Liberia team, relevant Implementing Entities, and other cooperating partners, to execute the activities under the Program Implementation Agreement.
- Provide information and reports on the implementation progress of the Project to the CEO/DCEO, and as necessary to the MCA-Liberia Management Team and Board of Directors.
- Identify resource requirements, bottlenecks, risks, and mitigation strategies, and reports on these to the CEO/DCEO.
- Supervise and manage staff assigned to work on the Energy Project; these may include an Energy Technical Assistance Manager and Small Works Manager.
- Effectively manage relationships between MCA-Liberia, Liberia Electric Corporation (LEC), Mount Coffee Hydropower Project Implementation Unit (MCHPP PIU), the Ministry of Land, Mines and Energy (MLME), the Presidential Delivery Unit (PDU) and any other cooperating partners involved in implementing the Project.
- Work with relevant Ministries and cooperating partners to advance policy and institutional reform measures necessary for the success of the Project; in this respect, ensure that Conditions Precedent related to the Project are met in accordance with the set time frame.
- Evaluate reports from implementing entities on implementation progress and provide technical support to keep the Project on-track.
- Ensure stakeholder participation in Project implementation and represent MCA-Liberia in public forums with respect to the Project.
- Prepare, update and monitor all relevant project management tools including but not limited to: work plans (schedules), procurement plans, detailed financial plans (budgets), risk management plans and scoping documents (activity descriptions, terms of references, etc.)
- Provide technical inputs to disbursement requests, terms of reference, bidding documents, technical evaluation reports, and progress reports as required. Coordinate integrated team input on progress reports and updates.
- Supervise and manage staff assigned to work on the Project; these include an Energy Technical Assistance Manager and a Small Works Manager
- Effectively manage contracts for consultants and contractors implementing activities under the Project; these include but are not limited to: guidance and support; review and approval of deliverables; review and approval of invoices and change orders; and coordination and facilitation with key stakeholders to obtain information, approvals, and permits.
- Coordinate with the Private Sector Development Director and Mount Coffee Liaison Director on all matters related to LEC and sector improvements, in particular the introduction of private sector investment in generation.
- Coordinate with the Procurement Director and Procurement Officer to develop procurement plans and oversee technical aspects of procurements related to the Project.
- Coordinate with the Finance team to process invoices, monitor project cash flow, and ensure accurate disbursement requests to MCC.
- Coordinate with the ESP Director to ensure the correct application of the MCA-Liberia and Government of Liberia environmental guidelines, policies and regulations in the execution of all Project Activities.



- Provide all relevant information to the CEO/DCEO and, as required, to other members of the MCA-Liberia Management Team, including Directors of: Monitoring & Evaluation and Economics; Procurement; Environmental and Social Performance; and Communications/Outreach.
- Interface with MCC field staff based in Liberia and technical staff based out of Washington DC.
- Perform all other tasks and responsibilities as requested by the CEO or DCEO.

## **ENVIRONMENTAL AND SOCIAL PERFORMANCE (ESP) DIRECTOR**

### **Reports to: Deputy Chief Executive Officer (DCEO)**

- Provide requisite leadership and technical input to help ensure the environmental and social performance of all Compact funded activities. Assume primary responsibility for monitoring and oversight of environmental and social impact aspects of Compact projects.
- Together with other respective MCA-L Directors, ensure compliance of the Program activities with relevant Liberian environmental laws and regulations, MCC Environmental Guidelines, MCC Gender Policy, and the International Finance Corporation (IFC) Performance Standards on Environment and Social Sustainability.
- Supervise and manage the work of other MCA-L ESP team members and/or contractors and consultants, as appropriate, to ensure that related performance, deliverables, and work products are acceptable. Prepare and/or review terms of reference, budgets, timelines and cost estimates for ESP related international and national procurements for civil works and consultant services, and provide contract and project management support.
- Coordinate and provide technical input to any Environmental and Social Assessments (ESIAs) required by the Projects, including resettlement policy frameworks (RPF) and resettlement action plans (RAPs). Ensure that the findings of the ESIs, RPF, and RAPs are incorporated into project design and implementation strategies by working in close collaboration with other MCA-L Project Directors, particularly the Energy, Roads, and Gender and Social Inclusion Directors, MCC, and other relevant government counterparts.
- Coordinate and provide technical input on all Environmental and Social Management Plans (ESMPs), Health and Safety Management Plans (HSMPs), and RAPs required by the Projects.
- Coordinate with Project Directors and other staff on environmental and social issues to ensure that all bidding documents for the Compact incorporate relevant environmental and social mitigation measures, including measures pertaining to environmental management, land acquisition and resettlement, protection of cultural resources, community & worker health and safety, HIV/AIDS, and other issues where relevant.
- Together with other respective Directors, ensure that resettlement planning and implementation efforts are properly sequenced and taken into account in Project work plans, detailed designs, as well as works and supervision contracts in accordance with the



requirements stipulated in Liberian law and consistent with IFC Performance Standard 5 on Land Acquisition and Involuntary Resettlement.

- Lead the development of an Environmental and Social Management System to ensure that all projects funded meet the environmental and social requirements of the Compact and relevant Liberian environmental and social regulations.
- Undertake regular site visits to Compact-funded project sites in support of project oversight. Summarize key findings and recommended next steps.
- Review effectiveness of grievance mechanism(s), along with comments and grievances from project-affected parties on environmental, social impacts and resettlement issues and recommend actions to improve the mechanism(s) and remedy grievances.
- Serve as the key interlocutor on environmental and social issues (including resettlement and livelihood restoration) between: (a) the MCA-Mt. Coffee Liaison Director; (b) Mt. Coffee Project Implementation Unit (PIU); and (c) MCC.
- Support the MCA-L Communications and Outreach Director (in collaboration with the Director of Gender and Social Inclusion). Provide support in the planning and implementation of stakeholder engagement and public consultation.
- Collaborate with relevant government departments and local civil society.
- Review reports on the implementation of the Compact to ensure that all works are carried out in full compliance with the applicable environmental and social management plans.
- Perform other tasks and responsibilities related to environmental and social management as requested by the CEO or DCEO.

## **Director of Finance and Administration**

### **Reports to: Chief Executive Officer (CEO)**

As a key member of the Executive Management team, the Director of Finance and Administration (DFA) will report to the Chief Executive Officer and assume a strategic role in the overall management of the Accountable Entity. The DFA will have primary day-to-day responsibility for planning, implementing, managing and controlling all financial-related activities of the Accountable Entity. This will include direct responsibility for accounting, finance, forecasting, strategic planning, property management, stakeholder relationships, and compliance.

### **Roles and Responsibilities**



- Provide executive management with advice on the financial implications of business activities.
- Provide recommendations to strategically enhance financial performance and business opportunities.
- Ensure adherence to all financial management provisions of the Compact and related documents.
- Serve as the primary liaison with the Fiscal Agent, Project Directors, MCC Fiscal Accountability and the Implementing Entities on financial-related matters and issues.
- Provide leadership in the design and operating effectiveness of a system of internal controls over financial management and reporting including change management and oversight.
- Provide management and supervision over HR and IT functions related to the administration of Accountable Entity.
- Coordinate the development of the operating budget for the Accountable Entity.
- Manage the preparation of the Accountable Entity's Program budget for the entire Compact period, as well as detailed budgets on a quarterly basis in coordination with the Fiscal Agent, Project Management units, and any Implementing Entities.
- Develop quarterly disbursement requests for funding from MCC, in coordination with the Fiscal Agent and the Project Management units.
- Develop, in coordination/collaboration with the Fiscal Agent, a financial management operations manual, known as the Fiscal Accountability Plan (FAP), which outlines all procedures necessary for financial management operations, effective internal control, and asset management. The FAP also designates the officials who have the authority to approve obligations, verify receipt of goods and services, and execute payments and other operational transactions.
- Monitor and ensure compliance with all aspects of the FAP.
- Ensure that the Accountable Entity's financial management system accommodates the requirements of the Compact as well as Accountable Entity's reporting requirements.
- In coordination with the Project Directors, estimate the future cash flow requirements for each Project for each period, and ensure that all accompanying reports are delivered according to the required schedule.
- Monitor expenses against budgets to ensure adequate resources and control of funds. Provide quarterly contract disbursements and other necessary information to the M&E Directorate in order to track progress milestones for the Compact.
- Prepare a plan to meet the regular audit requirements of the Office of Inspector General (OIG) of the United States Agency for International Development (USAID).
- Cooperate fully with the auditors to ensure that the auditing requirements of the program are satisfied as required by the Compact.



- Develop, communicate and implement corrective action plans in connection with all audits conducted on behalf of MCC/Government [insert country] funds in connection with the Compact.
- Ensure that MCC funds are exempt from all taxes as detailed in the Compact Agreement, Program Implementation Agreement, and/or any other agreement associated with the Compact.
- Represent the Program on all financial aspects to the Liberian public, government, donor community, civil society, private sector, and others.
- Develop and manage all financial reports, including special reports required by the Accountable Entity or the Board of Directors.
- Provide leadership and guidance to financial/accounting staff on assigned tasks of the division.
- Manage and review the work of assigned staff and ensure quality of outputs, and provide day-to-day supervision.
- Supervise the processing and analysis of project-related expenses and ensure that they are in accordance with approved budget, MCC policies, and government procedures.
- Supervise the administration and accounting for contract payments that the Fiscal Agent will process through MCC's paying agent.
- Develop and implement a system to track Government of Liberia contributions to the Compact, including cash and in-kind contributions. The system will include methods to value contributions, and procedures for validating that contributions have been made.
- Ensure that reports on country contributions required by MCC, the Government of Liberia, and external auditors are prepared timely and accurately.

## **GENDER AND SOCIAL INCLUSION DIRECTOR**

### **Reports to: Deputy Chief Executive Officer (DCEO)**

- Provide guidance and oversight to ensure that gender, social inclusion and poverty reduction issues are mainstreamed across Compact activities for purposes of enhancing the inclusive benefits of the Compact and promoting sustainable development. Ensure that Compact projects and activities comply with MCC's Gender Policy and Social and Gender Integration Milestones and Operational Procedures. Ensure compliance with MCC's Counter-Trafficking in Persons Policy.
- Develop a plan for regular consultation with and engagement of relevant stakeholders in project design and implementation to strengthen social and gender integration and poverty reduction in all projects. Stakeholders should include, but not be limited to: women and other vulnerable groups, civil society (NGOs, Community Based Organizations), other donors, and the private sector.



- Develop and implement a Social and Gender Integration Plan (SGIP) that incorporates relevant poverty, social and gender analyses and inputs into all projects and activities.
- Conduct yearly reviews and update the SGIP to reflect progress and/or changes in projects.
- As a part of the SGIP, develop a plan to increase awareness and capacity for social and gender integration among all MCA-L staff and sector specialists throughout project development and implementation.
- Before Compact closure, prepare a final review of the SGIP and a report that highlights achievements and lessons learned throughout Compact implementation with respect to social and gender integration.
- Contribute to the Stakeholder Engagement Plan in collaboration with the ESP Director and the Communications and Outreach Director to ensure compliance with MCC Environmental Guidelines, MCC Gender Policy and IFC Performance Standards.
- As part of developing and implementing the SGIP, collaborate with MCA-L colleagues to ensure poverty reduction, gender and social integration throughout the Compact in compliance with MCC's policies and requirements. This includes but is not limited to collaboration with Environment and Social Performance (ESP), Monitoring and Evaluation, Energy and Road project leads and Economist.
- Work with the ESP Director to ensure that MCA's safeguards approach complies with national laws, policies and international commitments (including IFC Performance Standards), and with MCC Environmental Guidelines, Gender Policy and Social and Gender Integration Milestones and Operational Procedures. Ensure that Environment and Social Impact Assessments, Environment and Social Management Plans and Resettlement Action Plans address poverty, social and gender-based constraints and risks, as well as benefits of proposed projects. Relevant risks and benefits include (but are not limited to) issues pertaining to access to water, energy, and natural resources for domestic use and livelihoods; access to roads, public facilities and services; public health, hygiene and safety; HIV/AIDS and other STIs; trafficking in persons; and resettlement compensation.
- Collaborate with monitoring and evaluation staff and project leads to ensure that data collection and M&E plans include gender-responsive indicators and monitoring tools. Assess and monitor poverty, social and gender impacts of all compact activities, and identify areas where integration can be strengthened or modified.
- Develop and/or provide input into all Compact Terms of Reference, Scopes of Work, Requests for Proposals, bidding and contract documents, grant agreements, project operational manuals and other key documents to ensure adequate attention to poverty reduction, gender and social inclusion. Ensure adequate planning, budget, and staff resources for GSI analytical work and management planning
- Manage and support consultants and/or contractors and work with implementing entities to ensure that gender, social inclusion and poverty reduction are fully integrated into projects and activities.
- Review deliverables for all projects to ensure that gender, social and poverty issues are sufficiently integrated.



- Monitor the quality of gender integration, social inclusion and poverty reduction in all project activities, track resources invested in GSI activities, and identify areas where integration can be strengthened or modified. Present the progress/results in each Quarterly Performance Review.

## **MONITORING AND EVALUATION DIRECTOR**

Reports to: **Chief Executive Officer (CEO)**

- Effectively develop and implement the MCA-L M&E Plan:
  - Develop the M&E system and strategy, including identifying data sources, original data collection needs, and reporting and analysis mechanisms
  - Ensure appropriate consultation with key stakeholders about their role in supporting the M&E Plan and about any modifications to the Plan
  - Identify gaps and propose mid-course corrections in order to ensure the M&E Plan adequately covers supported projects and activities
  - Update or develop program logic diagrams (including problem statements, outputs, outcomes, goals, and underlying assumptions and risks) for supported projects and activities as they are further defined
  - Ensure that the M&E Plan and economic analysis are modified and updated in a coordinated fashion with MCC's M&E lead and Lead Economist as information becomes available (e.g., updating indicators, baselines, and targets upon the receipt of information from technical studies or better statistical information on income and/or poverty).
- Develop and execute annual and monthly M&E work plans for all M&E activities, clearly detailing roles/responsibilities, deadlines and budgets for each activity
- Develop and manage annual and quarterly budgets for M&E activities
- Based on work plan and budget, manage MCA-L M&E staffing in order to execute the M&E Plan
  - Make recommendations to management about additional staffing needs and guide recruitment process
  - Develop and implement an effective division of labor within the M&E unit
  - Approve all relevant reports developed by staff members within the M&E unit
- Manage contracts with local and international consultants for M&E services and verify the quality and quantity of all deliverables
  - Collaborate with the Procurement Director to prepare and conduct necessary M&E procurements (including updating the procurement plan in consultation with MCC), including, e.g., data collection firms, data quality reviews and other consultants
    - Draft terms of reference and conduct technical evaluations of proposals
  - Properly document and secure storage of contract deliverables
- Ensure close collaboration and communication between the M&E unit, Implementing Entities, and other MCA-L Directorates.
  - Provide M&E guidance to counterparts (e.g., MCA-L project directors, gender team, M&E focal points within Implementing Entities, relevant Ministries, and project contractors) throughout the Compact implementation process.



- In collaboration with M&E staff, review M&E data regularly with decision makers to ensure that the overall program is accomplishing its objectives and corrective actions are taken if changes are warranted.
- Ensure technical quality of the quarterly Indicator Tracking Table (ITT) data, including accuracy, reliability and timeliness:
  - Develop and advise on process for collecting and reporting on monitoring data with corresponding material evidence from all Implementing Entities
  - Make recommendations, oversee execution of improvements to existing system
  - Participate in the monitoring of the Compact activities through site visits, review of reports and review of secondary data
  - Respond to MCC requests for information on data sources, data measurement methods, frequency of data collection, and disaggregation
- Provide M&E-related comments on all other MCA-L technical documents (e.g., work plans, Terms of Reference, and Implementing Entity Agreements)
- Develop, manage, or contribute to, as appropriate, Quarterly Reports to ensure complete and timely submission to MCA-L and MCC Management (e.g., ITT, Narrative Report, Detailed Financial Plan (DFP) and corresponding documentation and evidence).
- Initiate and manage Data Quality Reviews (DQRs), per the M&E Plan, and ensure MCA-L and Implementing Entities address gaps and challenges raised in DQRs.
- Manage or support (when MCC manages) independent evaluation activities, including quantitative and qualitative evaluations, in collaboration with MCC M&E lead, MCC economist, and evaluators:
  - Manage an MCA-L Evaluation Committee that will review evaluation deliverables, including sampling and survey instruments, to ensure overall quality and compliance with M&E Plan
  - Ensure that findings are disaggregated by gender, age and income, as applicable
  - Collaborate with Project Directors and Implementing Entities to maximize adherence to program rollout and minimize threats to internal validity of evaluation design (where applicable)
- Collaborate with communications staff in the MCA-L to:
  - Facilitate learning exchanges and information dissemination with the Liberian public and the donor community
  - Ensure that periodic reports of ongoing program-related M&E findings are accurate, made public, and easily accessible on the MCA-L website.
- Respond to on-demand requests from management on results monitoring and program progress and other tasks and responsibilities as requested by the MCA-L CEO or MCC
- Pursue M&E-related capacity-building activities, as needed to build skills within MCA-L and Implementing Entities
- Identify post-Compact M&E counterpart and develop post-Compact M&E Plan to be implemented after Compact closure
- Perform any other related tasks as required



## COMMUNICATIONS AND OUTREACH DIRECTOR

### Report to: Chief Executive Officer (CEO)

- Develop and implement broad-based policies and plans to ensure meaningful community/public participation in planning, monitoring and evaluating the program (the latter in coordination with the MCA-Liberia M&E Director).
- Develop and implement a private sector partner outreach strategy in conjunction with the MCA-Liberia CEO and relevant Directors; communicate private sector successes as well as publicize opportunities.
- Collaborate with the M&E Director and Project Directors to issue timely bulletins to stakeholders and target groups furnishing them with information about the program.
- Develop the consultative process plan, in compliance with MCC's requirements, in collaboration with the Reform Unit Director, ESP Director and Director for Social and Gender Assessment.
- Contribute to the Stakeholder Engagement Plan in collaboration with the ESP Director and the Director of Social and Gender Inclusion to ensure compliance with MCC Environmental Guidelines, MCC Gender Policy and IFC Performance Standards.
- Coordinate with the ESP Director to ensure effectiveness of grievance mechanism(s), recommend actions to improve the mechanism(s), ensure documentation of comments and grievances from project-affected parties on environmental, social impacts and resettlement issues, and remedy grievances.
- Manage and direct the development of the MCA-Liberia website.
- Ensure that minutes of meetings are properly recorded and made public via the MCA-Liberia website.
- Promote and track action on MCC eligibility indicator performance.
- Manage GoL/MCA-L relations by building, maintaining, and leveraging a good network of contacts to facilitate and/or promote the program.
- Monitor and liaise with the media to ensure that accurate information about the program reach the public domain.
- In collaboration with the MCA-L M&E and Economics Director, communicate progress to results as per the M&E plan.
- Take direction from the CEO in serving as the spokesperson of MCA-L. Using input from CEO or DCEO prepare speeches for CEO or DCEO public speaking engagements.



## **Procurement Director**

### **Reports to: Chief Executive Officer (CEO)**

#### **Major Responsibilities and Duties:**

The Procurement Director works under the supervision of the Chief Executive Officer. He /She ensures that all procurement transactions are implemented in accordance with these Guidelines; consolidates and keeps records of all procurement activity; and reports on the progress of this activity.

The Procurement Director is responsible for managing the flow of procurement activity to implement the Compact by the MCA-L. The Procurement Director serves as the primary liaison between the Procurement Agent, MCC and outside entities from a variety of specialized sectors on all procurement activities and facilitates the smooth interplay between and among all elements of the procurement process. A key aspect of this responsibility involves synchronizing the substance and process elements of procurement activities.

In addition, the Procurement Director:

- Coordinates the functions of the MCA-L and the Procurement Agent in implementing the Compact program, including identifying initial procurement needs and organizing procurement operations.
- Reviews the solicitation documents, Procurement Plans, CPPRs and all other required documents prepared by the Procurement Agent and recommend any necessary changes or improvements to ensure they comply with the MCC Program Procurement Principles and these Guidelines and that they meet the procurement needs of the MCA-L.
- Reviews the MCA-L's procurement operations manual prepared by the Procurement Agent and recommends any necessary changes or improvements to ensure it responds to the operational reality of the MCA-L.
- Ensures that the Procurement Agent act consistently with the approved procurement operations manual.
- Monitors compliance by the Procurement Agent with all the rules and procedures of these Guidelines.
- Supports management and the chief executive officer of the MCA-L in maintaining the integrity and confidentiality of the procurement process.
- Facilitates the preparation and submission to the Procurement Agent of necessary procurement documents by the technical staff of the MCA-L.
- Reviews reports submitted by the Procurement Agent



- Manages the members of the MCA-L procurement team.
- Approves procurement decisions in accordance with *Attachment 1* to these Guidelines.
- Performs other tasks and responsibilities as requested by the Chief Executive Officer of the MCA-L.

## **ROADS DIRECTOR**

### **Reports to: Deputy Chief Executive Officer (DCEO)**

- Manage and assure quality delivery of all road activities.
- Provide regular planning, scheduling and budget information, as well as implementation progress, of all infrastructure activities to the MCA-Liberia and to MCC.
- Participate in the preparation and/or review of all relevant project documents including but not limited to statements of work, design documents, bidding documents, technical evaluations, progress reports, etc.
- Approve consulting engineer staff according to the contract agreement.
- Obtain and record all guarantees, warranties, and certificates.
- Provide all necessary approvals for materials and procedures required for the project.
- Review all submittals by contractors and consultants including work plans, timelines, deliverables, invoices, and other documents.
- Review invoices and liaise with the Fiscal Agent and the Finance Director for processing them according to the set procedures.
- Monitor project cash flow and liaise with the Finance Director to ensure accurate disbursement requests to MCC.
- Provide guidance and support to the consultants and contractors working on all infrastructure project activities to ensure efficient coordination with other parties.
- Provides coordination between multiple governmental and non-governmental parties for design and implementation of road maintenance program.
- Define and coordinate roles of implementing entities
- Identify resource requirements, bottlenecks, risks, and mitigation strategies, and report on these to the Deputy CEO.
- Under the supervision of the Deputy CEO, coordinate with Procurement Director and oversee the technical aspects of procurement in the services of consultants and contractors who will undertake surveys, feasibility studies, and design.



- Ensure stakeholder participation in project implementation and, with the Deputy CEO, represent the MCA-Liberia in public forums with respect to any infrastructure project activities.
- Interface with MCC staff and other donors involved in related activities.
- Interface with DOT/Volpe.
- Oversee the hiring of MCA-L Roads Staff.
- Other tasks and responsibilities as requested by the Deputy CEO or CEO.

## **PRIVATE SECTOR DEVELOPMENT DIRECTOR**

Reports to: **Deputy Chief Executive Officer (DCEO)**

To ensure proactive private sector engagement (PSE) and collaboration within the Compact, the PSD Director will identify and pursue opportunities that attract or leverage private sector interest, investment, or commercial activity both within and complementary to the Compact project, focused in the energy and roads sector. The PSD Director will coordinate all activities with his or her counterpart in MCC's Finance, Investment and Trade Team.

The activities of the PSD Director are likely to evolve depending on the specific opportunities and partnerships identified during the Compact period. The primary responsibility of the PSD Director will be to facilitate private sector involvement in management of the Liberia Electricity Corporation (LEC). Other private sector related opportunities envisioned under the Compact include:

- Livelihood and entrepreneurship development activities for women, youth, war-affected persons and marginalized groups to support productive use of electricity.
- Outreach to Liberian and international businesses with regards to compact opportunities, such as road maintenance work contemplated as part of the road maintenance activities.

## **Responsibilities**

### **Energy Project Responsibilities**

- In collaboration with the Energy Project Director and coordination with other energy sector development partners (including the EU, World Bank, Norway and USAID), support implementation of a management contract for and preparations for a future concession of LEC. The PSD Director will provide oversight of the transaction process, which will be implemented by a transaction advisor.
- In collaboration with the Gender and Social Inclusion Director, develop and implement a plan for livelihood and entrepreneurship development activities and the engagement of private partners to support these activities.



- In support of private sector-related Compact activities and in collaboration with other relevant Project Directors and Sector Leads, execute the following tasks:
  - Provide leadership, coordination, and day-to-day management in support of any private sector participation (PSP) transactions undertaken for the management of LEC
  - Provide operational and strategic advice and support to the CEO and Deputy
  - Manage and/or support procurement and management of contracts for private sector related work, including LEC PSP options.
  - Oversee the formulation of implementation plans for the private sector activities, including the preparation of budgets, disbursement request packages, work plans, procurement plans, and monitoring and evaluation (M&E) plans; provide reports on implementation progress to management of MCA-L.
  - Identify bottlenecks, risks, and mitigation strategies, and work to address them, reporting as appropriate to the MCA-L management.

### **Private Sector Engagement Responsibilities**

- Develop a private sector engagement strategy (PSE Strategy) and annual action plan (Action Plan), in coordination with the MCA-L CEO and Deputies, Project and Technical Leads, and Communications Director. MCC will also provide guidance and support in strategy development and implementation oversight. The PSE Strategy will guide the identification and pursuit of opportunities that attract or leverage private sector interest, investment, or commercial activity both within and complementary to Compact projects. The Action Plan shall include roles and responsibilities of MCA-L and other agencies, strategic objectives, strategic approach, work plan, and quantifiable targets.
- Identify members of the business community who could collaborate with MCA-L and/or benefit from Compact activities;
- Establish and develop strong relationships with various existing domestic and international stakeholders (government, private sector organizations, donors, NGOs);
- Identify organizations or companies at the regional, national or local levels with direct investment potential and conduct strategic outreach to raise awareness of the business opportunities created through the MCA-L programs;
- Organize outreach events for interested partners specific to the opportunities to leverage MCA-L program activities;
- Establish and build relationships with potential partners that contact MCA-L or MCC about business opportunities;
- Engage experts as needed to develop collaborations, and cultivate specific trade and investment opportunities;
- Follow-up with interested businesses and serve as a liaison to project implementers, project beneficiaries and other stakeholders;
- Coordinate with MCC's Finance, Investment and Trade Team; and
- Perform any other related tasks as required.



## Communication and Reporting Responsibilities

- Coordinate with the MCA-L CEO and Deputies, Project Director, Sector Leads, and Communications Director;
  - Develop and maintain a close working relationship with MCC's Finance, Investment and Trade Team facilitated by frequent verbal and written communications;
- Submit written (electronic) reports on a quarterly basis that contain the defined outputs and outcomes as defined in the PSE Strategy and Action Plan.

## GENERAL COUNSEL

### REPORTS TO: Chief Executive Officer (CEO)

#### Responsibilities

The General Counsel and corporate secretary (General Counsel) will serve as a critical member of the senior management team of the Accountable Entity (the MCA) identified in the compact (Compact) between the Republic of Liberia and the United States of America, acting through the Millennium Challenge Corporation (MCC). The General Counsel will serve as the principal legal officer and senior policy advisor on legal matters, as well as a technical resource, to the MCA-L governing board (Board) and management team and other staff of MCA-L. The General Counsel will also serve as the corporate secretary to the Board of MCA-L. The General Counsel may have responsibility for managing and supervising subordinate staff and other legal resources as may be necessary for proper functioning of MCA-L. The General Counsel will be expected to carry out the following among his or her primary responsibilities.

- Provide or coordinate the provision of legal advice on all issues affecting the internal operations of the MCA, including government contracts and other agreements, third party commercial contracts and other agreements, procurement and fiscal law, and corporate governance and records management.
- Help to identify, and advise on, situations that may involve elements of fraud and corruption and/or conflicts of interest in the implementation of the Compact. Coordinate training and advice on MCC policies and applicable laws, regulations and other policies relevant to the prevention, detection, and correction of fraud and corruption. Coordinate training and advice on matters of ethical behavior, including the avoidance of conflicts of interest and policies governing confidentiality and transparency. This training will include the Board, the management team, other staff of the MCA, and, where appropriate, implementing entities of the government of Liberia (Government) designated in accordance with the terms of the Compact and of MCA-L's contractors.
- Ensure that MCA-L's activities comply with: (i) the obligations of MCA-L contained in the Compact and all related agreements or otherwise delegated to MCA-L by the Government; (ii) all agreements entered into under or in furtherance of the Compact; (iii) all applicable laws and regulations of Liberia; (iv) all of the MCA's organizational and governance documents, including



any law or decree related to the creation or operation of MCA-L and MCA-L's bylaws or other governing documents; and (v) any other applicable laws, regulations, policies, and agreements.

- Advise the Board, the management team, and the staff of the MCA-L on legal issues and address legal matters as they arise. This may include preparing and submitting reports and other documents on a periodic basis to the Board and the management team that identify any problems (and recommended solutions) encountered in MCA-L compliance with its obligations or other legal matters.
- Serve as the corporate secretary of the Board. This includes developing and implementing procedures for the meetings of the Board and ensuring that Board meetings and actions comply with the requirements of the Compact, all related agreements, and the relevant governing documents of the MCA-L (including any law or decree related to the creation or operation of MCA-L and the MCA-L's bylaws or other governing documents). This function also includes responsibility for ensuring all necessary and appropriate records are produced and maintained by MCA-L.
- Participate in negotiations, and draft, review, and advise on all types of contracts and other documents to be executed by MCA-L.
- Participate in the drafting and review of deliverables required by the terms of the Compact and related agreements to ensure legal sufficiency and the proper and timely delivery of such deliverables.
- Advise the Board and MCA-L regarding employment matters, including drafting and negotiating employment agreements.
- Provide guidance on legal implications of procurement and financial activities that may be undertaken by MCA-L. Cooperate with and advise representatives of Government bodies, including ministries, the legislature, and other public agencies, regarding the Government's responsibilities under the Compact and all related agreements.
- Represent, or manage the representation of, MCA-L before courts, regulatory, and administrative bodies, and in arbitration and other proceedings.
- Act as the main liaison between MCA-L and MCC on legal matters relating to the implementation of the Compact.
- Recruit, supervise, and manage junior legal officers and other staff within the MCA, as may be necessary.
- Determine the need for additional legal experts (including outside counsel), identify possible sources for such experts, assist the Procurement Director in the procurement of such experts, provide recommendations on particular legal tasks that should be outsourced to an outside counsel, and manage such outside counsel.
- Perform such other responsibilities that are commonly exercised or incidental to the position of General Counsel and corporate secretary or as may be delegated or requested from time to time by the Board or the management team of the MCA.