
Term of Reference (ToR)
Consultancy on institutional, legal and policy reform, development of strategy
and guidelines and capacity enhancement of DoE – “Governance & Pollution
Management”
Package No.: DoE S-1.1

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Background

The Department of Environment (DoE, ‘the client’) under the Ministry of Environment, Forest and Climate Change (MoEFCC) has been established by the Government of Bangladesh (GoB) to ensure sustainable environmental governance for achieving high quality of life for the benefit of present and future generations. With an official mandate of pollution control as prescribed under the Bangladesh Environmental Conservation Act, 1995 (BECA 1995), DOE has progressed in developing and implementing various environmental protection rules, policies, standards, and guidelines. As per the BECA 1995, DoE is responsible for six main tasks: (i) monitoring environmental quality; (ii) controlling and monitoring industrial pollution; (iii) establishing regulations and guidelines for activities affecting the environment; (iv) reviewing environmental impact assessments and managing the environmental clearance process; (v) promoting environmental awareness through public information programs; and (vi) coordinating the implementation of a number of international protocols and conventions to which Bangladesh is a signatory. The Department distributes its responsibilities through a head office, two metropolitan offices (Dhaka and Chattogram), eight Regional/Divisional offices, and 64 District Offices.

Bangladesh’s rapid economic development, urbanization and population growth have led to serious environmental pollution that threatens the long-term sustainable development of the country.

Bangladesh has made great efforts to develop the DOE’s capacity and invest in the control of air, water, and waste pollution through both investment operations and technical assistance. However, GoB and DOE need additional support to improve the country’s environmental governance to safeguard a green, resilient, and inclusive recovery of its economy. The current environmental regulatory framework needs to be strengthened to properly assess and address differential impacts of environmental pollution on women. Institutionally, the DOE needs additional human and financial resources to expand its structure to create new directorates for water quality and waste management, to decentralize its operations, to establish new and improved physical and technical infrastructure, to properly monitor environmental quality and pollution discharges, and to disseminate such information to its population. To continue addressing its environmental challenges, GoB is implementing the **Bangladesh Environmental Sustainability and Transformation (BEST) Project**, which is being supported by the World Bank. The Project Development Objectives (PDOs) of BEST are to strengthen the capacity of the Government of Bangladesh in environmental management and to pilot new financing mechanisms to promote green investments in targeted sectors.

Component 1 of BEST will support DOE to reinforce its regulatory, institutional, financial, and capacity foundations for the achievement of its long-term vision of helping the country “live in harmony with nature and achieve net zero emissions by 2050.” Accordingly, this component will finance (a) the development of regulations and policies to expand the regulatory mandate of the DOE from controlling individual pollution sources to protecting and improving environmental quality and promoting green growth, (b) the decentralization and specialization of the DOE with increased human and financial resources, (c) the creation and capitalization of an Environment Fund, (d) capacity building and environmental infrastructure for DOE and its key stakeholders on environmental management and green growth, and (e) project management of DOE activities.

The demand analysis conducted under the feasibility study for the project¹ highlights the need to reform and/or amend the BECA 1995, formulate new Rules to implement the existing Act and develop new environmental policies, strategies and guidelines. Consultation with stakeholders highlights the necessity to formulate regulatory mechanisms to strengthen environmental governance and mitigate and abate water and air pollution. The last amendment to the BECA 1995 was enacted in 2010; thus, the Act needs to be updated. The Act will incorporate provisions that include but not limited to: (i) efficient application of the polluters pay principle (PPP), (ii) strengthened instruments and practices for enforcement of environmental regulations, especially after issuance of environmental clearance certificate; (iii) sustainable financing with eco-compensation and payment for ecosystem

¹ The analysis is included development project proposal (DPP) and reflected in project appraisal document (PAD).

services, (iv) financial resource mobilization through the Environment Endowment Fund, (v) Public-Private Partnerships (PPPs), and (vi) public/stakeholder participation in decision-making and disclosure of environmental data. Conclusively, the following documents will be prepared:

Conservation of Environment

1. Bangladesh Environmental Conservation Act 1995 (Amendment)
2. Bangladesh Environmental Conservation Rules 2023 (Amendment)
3. The National Environment Policy 2018 (Update including official English Translation)
4. Formulation of Public Information Disclosure Policy

Mitigation and Abatement of Pollution

1. Formulation of Water Pollution (Control) Rules including Directives for Online Water Quality Monitoring
2. Formulation of Reactive Nitrogen Management Policy
3. Formulation of Guideline for Self-Monitoring and Report of ETP's/CETP's
4. Formulation of Policy Framework for Circularity in Textile and Plastic sector
5. Formulation of Extended Producer Responsibility (EPR) Guidelines/Directives for Solid Waste (E-waste) Management
6. Formulation of National Solid Waste Management Framework
7. Formulation of Standard Operating Procedure (SOP) for Used Lead Acid Battery recycling industry, Pyrolysis, Auto Rice Mill, Pesticide Repacking and Formulation, Scrap Steel recycling Industry, Charcoal Brickette, Spent Oil Recycling, Zinc Fertilizer, Sulfuric Acid Manufacturing Industries
8. Formulation of Guidelines/ Directives for Industry Specific Air Pollution Management
9. Formulation of Guidelines/ Directives for Degraded Airsheds declaration
10. Formulation of Road Map to switching from Burnt Bricks to alternatives (Developing an impartial model for Cost-Benefit Analysis for all possible alternatives)
11. Formulation of EIA Guidelines/Directives for Housing Project and Steel mill and Amendment of EIA Guidelines/Directives for Industries and Sector Specific six EIA Guidelines/ Directives (Pharmaceuticals, Coal mine, Cement, Road and Bridges, Textile, Projects on Natural Gas)
12. Amendment of Guidelines/Directives on Sustainable sand and Stone/Gravel mining management

The consultant will prepare the drafts based on the following considerations and requirements:

- Incorporation of polluters pay principle and extended producers' responsibility in legal provisions to ensure holistic environmental governance
- All documents should include public disclosure mechanisms of data on kind and extent of pollution
- Compounded penalization for repeat offences
- Penalization to be sufficiently stringent to outweigh economic advantages gained from pollution or regulatory violations
- Streamlining provisions of the Department of Environment's Enforcement Guidelines into the proposed documents
- Accounting for novel environmental issues and technological progress, including increased need for improved regulations on solid and hazardous waste management (e.g. electronic, medical and biohazardous, microplastics), heavy metals and climate change impacts
- Alignment with international standards, including international treaties and conventions
- Economic, social and poverty impacts of pollution abatement measures, fines, and compensations for environmental offences to protect the health and welfare of citizens and the environment, while imposing sufficient sanctions to deter polluters
- Prioritize legal and institutional effectiveness to facilitate ease of implementation and enforcement
- Address environmental and social risks complexities and ensure effective management of environmental and social issues
- Bridging inconsistencies and lack of clarity in the existing legal framework
- Alignment with international standards and best practices
- Integrate stakeholder engagement, including government officials, development partners, civil society, and project-affected people, in the environmental legal governance

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- Incorporating public awareness and participation in decision-making and mechanisms for addressing environmental grievance within the legal instruments

In this context, Government of Bangladesh (GoB) seeks to engage a **qualified firm** (hereafter referred to as the Consultant) to undertake the assignments of preparation of the listed documents in three phases.

Objectives of the Consultancy

The consulting services is split into two thematic categories:

- i. **Environmental Governance and Regulation:** Under this category, the Consultant shall:
 - a. Review all existing pertinent legislations and policy documents in the country, benchmark them against international best practice, conduct stakeholder mapping, and lead consultations to identify the gaps in environmental governance and regulatory mechanisms in Bangladesh
 - b. Consultant shall draft the assigned legal and policy documents through iterative feedback processes of public, industry and policy-level stakeholders
 - c. Develop a comprehensive legal and regulatory framework that enhances environmental governance and sustainable management of natural resources in compliance with environmental standards and effective enforcement mechanism, promoting transparency, accountability and public participation.
- ii. **Pollution Mitigation and Abatement:** Under this category, the Consultant shall:
 - a. Review all existing pertinent legislations and policy documents in the country, benchmark them against international best practice, conduct stakeholder mapping, and lead consultations to identify the gaps in air, water and soil pollution and solid, liquid and integrated waste management in Bangladesh
 - b. the Consultant shall draft the assigned legal and policy documents through iterative feedback processes of public, industry and policy-level stakeholders. This category's objective is to establish stringent pollution control standards and guidelines to reduce the release of harmful pollutants into the environment, formulation of regulations mandating the adoption of best practice and technologies for pollution prevention, monitoring, and remediation across various sectors, including industrial, agricultural, and urban areas.

Assignments

The Consulting Services shall be divided into two category-based assignments with distinct but interconnected task streams thereunder. Each assignment shall require personnel with specialized educational qualifications and thematic experience and expertise to complete tasks.

Category 1: Governance and Regulatory Reform

The Department of Environment, with approval from the Ministry of Environment, Forest and Climate Change (MOEFCC), identified key instruments that will bolster the environmental regulatory infrastructure of the country. The following four instruments shall be developed under this category to strengthen and supplement existing policy instruments:

1. Bangladesh Environmental Conservation Act 1995 (Amendment)
2. Bangladesh Environmental Conservation Rules 2023 (Amendment)
3. The National Environment Policy 2018 (Update including official English Translation)
4. Formulation of Public Information Disclosure Policy

The Consultant shall be liable to undertake the following assignments under this category:

Assignment A: Draft Legal and Policy Documents on Governance and Regulatory Reform

Under this Assignment the Consultant shall conduct draft the legal and policy documents on governance and regulatory reform. To that effect, the Consultant shall complete desk-based reviews, and organize and undertake public policy-level, and high-level consultations to receive feedback from relevant stakeholders. The tasks under the assignment are:

Task: A1. Report Preparation:

Task A1.1 Review existing documents and benchmarking against best practices: The Consultant shall review all pertinent documents (laws, rules, guidelines, policies, reports etc.) in effect in Bangladesh

to identify gaps in the Bangladesh Environment Conservation Act, 1995 (Amendment 2010), Bangladesh Environment Conservation Rules, 2023, the National Environment Policy 2018. The Consultant shall select structural and aspirational peer countries for literature review and benchmarking of comparative environmental laws and policies to identify best practice, with special focus on (i) polluters pay principle (PPP), extended producers' responsibility (EPR), (iii) sustainable financing with eco-compensation and payment for ecosystem services, (iv) financial resource mobilization through the Environment Fund, (v) regulation of Living Organism (vi) Public-Private partnership (PPP) and (vii) public/stakeholder engagement.

Task A1.2 Stakeholder mapping and engagement: Stakeholder mapping of pertinent public agencies using analytical tools for each of the regulations and organizing engagement efforts to understand regulatory and implementation gaps.

Task A1.3 Gap identification: Upon completion of the mapping and consultation exercises, the Consultant shall complete gap identification process and identify mechanisms to bridge them in proposed laws, rules, and policy instruments.

Task A1.4 Report Preparation: - The Consultant shall prepare a summary report (no longer than 5 pages) to consolidate findings of the literature review, consultation, stakeholder engagements, and gap identification exercises. This report should reflect the implications of the proposed new regulatory documents on the existing ones.

A2. Preparation of 1st Draft(s):

Task A2.1 Bangladesh Environmental Conservation Act 1995 (Amendment): Draft (in Bangla) the Bangladesh Environment Conversation Act that will repeal, replace, and update the 1995 Act with integration of issues highlighted in the gap assessment report (under Assignment A1): the draft Act shall reflect provisions of the Department of Environment (DOE)'s Enforcement Guidelines regarding public disclosure, data collection, mechanisms of enforcement actions etc.

Task A2.2 Bangladesh Environmental Conservation Rules 2023 (Amendment): Draft (in Bangla) the revision of the ECR 2023 in line with the proposed BECA, 1995 Amendment.

Task A2.3 The National Environment Policy 2018: Draft (in Bangla) the revision of the National Environment Policy 2018 in line with the proposed BECA, 1995 Amendment.

Task A2.4 Public Information Disclosure Policy: Draft (in Bangla) the Public Information Disclosure Policy in line with the proposed update of the BECA, 1995 and complies to the principles of public disclosure of key pollution data and list of polluters requirement of the DOE Enforcement Guidelines.

A3. Consultation:

Task A3.1 Consultation and feedback engagements on 1st draft of documents: Publicly share, via DOE, the first draft of all legal and policy documents prepared under the Assignment A2 and organize and consult stakeholder consultations and engagements to gather feedback on the proposed updates from high-level policy makers, think tanks, industry actors, and the people in general at grassroot level.

Task A3.2 Consultation and feedback engagements on 2nd draft of documents: Publicly share, via DOE, the final draft of all legal and policy documents prepared under the Assignment A2. The final draft of the documents will include and reflect the comments and concerns raised through consultative processes on the first draft. The Consultant shall organize and consult stakeholder consultations and engagements to gather feedback on the proposed drafts from high-level policy makers, think tanks, industry actors, and the people in general at grassroot level.

A4. Preparation of 2nd draft:

Task A4.1 Integration of all comments and feedback from consultations into a comment matrix: The Consultant shall prepare a comments matrix for each legal or policy document with all the comments received from relevant stakeholders during the consultative processes undertaken in Task A3. The matrix shall also include responses from the Consultant on the resolution of the comments and whether and how they have been addressed in the second draft. If the comments have not been addressed, offer rationale as to why the comments have not been incorporated in the draft.

Task A4.2 Resolution of comments and concerns raised in consultations into the first drafts: The Consultant shall make necessary changes to the first draft in line with the comments, feedback, and queries raised in the Consultation process. Upon completion of the second draft, the Consultant shall publicly circulate, through the DOE, the second draft of the policy documents to relevant stakeholders. The Consultant shall subsequently organize consultations described under Task A3.2.

Task A4.3: Finalization of the drafts: Upon completion of the consultations, the Consultant shall prepare an updated comment matrix for each legal or policy document, like one mentioned in Task A4.1, with collated comments, their response, and their rationale, from the second round of consultations. The Consultant shall finalize the drafts aligned with the feedback and comments from the Consultation.

Task A4.4: Translation of documents of the final draft: The Consultant shall keep a running translation of the draft legal or policy documents, as well as the comments matrices. The Consultant shall produce the translation of the drafts at each stage of the of the drafting process. Prior to submission of the final draft to the DOE and MOEFCC, the Consultant shall produce the final draft of the document in English.

Category 2: Pollution Mitigation and Abatement

The Department of Environment, with approval from the Ministry of Environment, Forest and Climate Change (MOEFCC), identified key instruments that will bolster the regulatory infrastructure of the country pertaining to pollution mitigate and abatement. The following twelve instruments shall be developed under this category to strengthen and supplement existing policy instruments:

1. Formulation of Water Pollution (Control) Rules including Directives for Online Water Quality Monitoring
2. Formulation of Reactive Nitrogen Management Policy
3. Formulation of Guideline for Self-Monitoring and Report of ETP's/CETP's
4. Formulation of Policy Framework for Circularity in Textile and Plastic sector
5. Formulation of Extended Producer Responsibility (EPR) Guidelines/Directives for Solid Waste (E-waste) Management
6. Formulation of National Solid Waste Management Framework
7. Formulation of Standard Operating Procedure (SOP) for Used Lead Acid Battery recycling industry, Pyrolysis, Auto Rice Mill, Pesticide Repacking and Formulation, Scrap Steel recycling Industry, Charcoal Brickette, Spent Oil Recycling, Zinc Fertilizer, Sulfuric Acid Manufacturing Industries
8. Formulation of Guidelines/ Directives for Industry Specific Air Pollution Management
9. Formulation of Guidelines/ Directives for Degraded Airsheds declaration
10. Formulation of Road Map to switching from Burnt Bricks to alternatives (Developing an impartial model for Cost-Benefit Analysis for all possible alternatives)
11. Formulation of EIA Guidelines/Directives for Housing Project and Steel mill and Amendment of EIA Guidelines/Directives for Industries and Sector Specific six EIA Guidelines/ Directives (Pharmaceuticals, Coal mine, Cement, Road and Bridges, Textile, Projects on Natural Gas)
12. Amendment of Guidelines/Directives on Sustainable sand and Stone/Gravel mining management

The Consultant shall be liable to undertake the following assignments under this category:

Assignment B: Draft Legal and Policy Documents on Pollution Mitigation and Abatement

Under this Assignment the Consultant shall conduct draft the legal and policy documents on pollution mitigation and abatement. To that effect, the Consultant shall complete desk-based reviews, and organize and undertake public policy-level, and high-level consultations to receive feedback from relevant stakeholders. The tasks under the assignment are:

Task: B1. Report Preparation:

Task B1.1 Review existing documents and benchmarking against best practices: The Consultant shall review all pertinent documents (laws, rules, guidelines, policies, reports etc.) in effect in Bangladesh to identify gaps in the existing legal and policy documents like the ones to be drafted under Assignment B. The Consultant shall select structural and aspirational peer countries for literature review and benchmarking of comparative environmental laws and policies to identify best practice with special focus on mitigation and abatement efforts and standardization of monitoring and reporting frameworks.

Task B1.2 Stakeholder mapping and engagement: Stakeholder mapping of pertinent public agencies using analytical tools for each of the regulations and organizing engagement efforts to understand regulatory and implementation gaps.

Task B1.3 Gap identification: Upon completion of the mapping and consultation exercises, the Consultant shall complete gap identification process and identify mechanisms to bridge them in proposed laws, rules, and policy instruments.

Task B1.4 Report Preparation: - The Consultant shall prepare a summary report (no longer than 5 pages) to consolidate findings of the literature review, consultation, stakeholder engagements, and gap identification exercises. This report should reflect the implications of the proposed new regulatory documents on the existing ones.

B2. Preparation of 1st Draft(s):

Task B2.1 Water Pollution (Control) Rules including Directives for Online Water Quality Monitoring: Draft (in Bangla) the Water Pollution (Control) Rules with integration of issues highlighted in the gap assessment report (under Assignment B1): the draft Act shall include directives for online water quality monitoring and public disclosure of pollution data

Task B2.2 Formulation of Reactive Nitrogen Management Policy: Draft (in Bangla) the Reactive Nitrogen Policy to offer frameworks and directions to reduce air, water, and soil pollution from Nox, nitrogen runoff in agriculture, and accumulation of nitrogen compounds in soil leading to degradation.

Task B2.3 Formulation of Guideline for Self-Monitoring and Report of ETPs/CETPs: Draft (in Bangla) the Guidelines for Self-Monitoring and Reporting of ETP/CETP.

Task B2.4 Formulation of Policy Framework for Circularity in Textile and Plastic sector: Draft (in Bangla) Policy Framework for Circularity in Textile and Plastic sector.

Task B2.5: Formulation of Extended Producer Responsibility (EPR) Guidelines/Directives for Solid Waste (E-waste) Management: Draft (in Bangla) Guidelines, including directives, on extended producer responsibility (EPR) for Solid Waste (E-Waste) Management.

Task B2.6: Formulation of National Solid Waste Management Framework: Draft (in Bangla) the National Solid Waste Management Framework.

Task B2.7: Formulation of Standard Operating Procedure (SOP) for Used Lead Acid Battery recycling industry, Pyrolysis, Auto Rice Mill, Pesticide Repacking and Formulation, Scrap Steel recycling Industry, Charcoal Brickette, Spent Oil Recycling, Zinc Fertilizer, Sulfuric Acid Manufacturing Industries: Draft (in Bangla) standard operating procedure (SOP) for Used Lead Acid Battery recycling industry, Pyrolysis, Auto Rice Mill, Pesticide Repacking and Formulation, Scrap Steel recycling Industry, Charcoal Brickette, Spent Oil Recycling, Zinc Fertilizer, Sulfuric Acid Manufacturing Industries.

Task B2.8 Formulation of Guidelines, including, Directives for Industry Specific Air Pollution Management: Draft (in Bangla) the Guidelines, including Directives, for industry specific air pollution management.

Task B2.9 Formulation of Guidelines, including, Directives for Degraded Airsheds declaration: Draft (in Bangla) the Guidelines, including Directives, for Degraded Airshed Declaration.

Task B2.10 Formulation of Road Map to switching from Burnt Bricks to alternatives (Developing an impartial model for Cost-Benefit Analysis for all possible alternatives): Draft (in Bangla) roadmap for switching from burnt bricks to alternatives including developing an impartial model for cost-benefit analysis of available alternatives.

Task B2.11 Formulation of EIA Guidelines/Directives for Housing Project and Steel mill and Amendment of EIA Guidelines/Directives for Industries and Sector Specific six EIA Guidelines/ Directives (Pharmaceuticals, Coal mine, Cement, Road and Bridges, Textile, Projects on Natural Gas) Draft (in Bangla) the Guidelines, including Directives, for Environment Impact Assessment (EIA) for specified industries and sectors.



Task B2.12 Amendment of Guidelines/Directives on Sustainable sand and Stone/Gravel mining management: Draft (in Bangla) the Guidelines, including Directives, on sustainable sand and stone/gravel mining management.

B3. Consultation:

Task B3.1 Consultation and feedback engagements on 1st draft of documents: Publicly share, via DOE, the first draft of all legal and policy documents prepared under the Assignment B2 and organize and consult stakeholder consultations and engagements to gather feedback on the proposed updates from high-level policy makers, think tanks, industry actors, and the people in general at grassroots level.

Task B3.2 Consultation and feedback engagements on 2nd draft of documents: Publicly share, via DOE, the final draft of all legal and policy documents prepared under the Assignment B2. The final draft of the documents will include and reflect the comments and concerns raised through consultative processes on the first draft. The Consultant shall organize and consult stakeholder consultations and engagements to gather feedback on the proposed drafts from high-level policy makers, think tanks, industry actors, and the people in general at grassroots level.

B4. Preparation of 2nd draft:

Task B4.1 Integration of all comments and feedback from consultations into a comment matrix: The Consultant shall prepare a comments matrix for each legal or policy document with all the comments received from relevant stakeholders during the consultative processes undertaken in Task B3. The matrix shall also include responses from the Consultant on the resolution of the comments and whether and how they have been addressed in the second draft. If the comments have not been addressed, offer rationale as to why the comments have not been incorporated in the draft.

Task B4.2 Resolution of comments and concerns raised in consultations into the first drafts: The Consultant shall make necessary changes to the first draft in line with the comments, feedback, and queries raised in the Consultation process. Upon completion of the second draft, the Consultant shall publicly circulate, through the DOE, the second draft of the policy documents to relevant stakeholders. The Consultant shall subsequently organize consultations described under Task B3.2.

Task B4.3: Finalization of the drafts: Upon completion of the consultations, the Consultant shall prepare an updated comment matrix for each legal or policy document, like one mentioned in Task A4.1, with collated comments, their response, and their rationale, from the second round of consultations. The Consultant shall finalize the drafts aligned with the feedback and comments from the Consultation.

Task B4.4: Translation of documents of the final draft: The Consultant shall keep a running translation of the draft legal or policy documents, as well as the comments matrices. The Consultant shall produce the translation of the drafts at each stage of the of the drafting process. Prior to submission of the final draft to the DoE and MOEFCC, the Consultant shall produce the final draft of the document in English.

Implementation Arrangement

The Consultants will work closely with the PD BEST and coordinate their work with other relevant units of MoEFCC, DoE, local administration and relevant Ministries and agencies. The Consultant will establish their main workstation at convenient location(s) to implement the work properly. After the inception stage the Consultants shall prepare a detailed schedule and task-flow diagram, which depicts the interrelationship of various tasks in the assignment, which lead to the completion works, and mechanism of coordination with the client and other related entities. This would be kept and updated throughout the Project duration. The Consultant's Team Leader will be the principal contact and will be expected to be readily available during project implementation.

Duration of Contract and Form of Contract

Total duration of the contract will be 27 (Twenty-seven) months with duration and task duration timeline of each assignment provided in Table 1. A Gantt Chart of the tasks under each category, their expected duration, timeline, and the required non-key expert for each task is provided in [Annex I](#). Successful completion of each assignment is contingent on the completion of each task under it; completion of each task depends on the completion of each subtask under it. All three of the assignments must be individually and collectively completed for attainment of the objectives of the contract.

Table 1 Timeline of Task Delivery

Task	Deliverable	Delivery Format	Date of Submission of Task
<i>Category 1: Governance and Regulatory Reform</i>			
A1.4	Report (in English)	Electronic Submission PDF	Within 30 working days from date of signing of contract
A2.1-A2.4	1 st Draft(s) of Documents	Electronic Submission PDF	Within the last day of the 12 th month since signing of the contract
A3.1	Consultation	Consultation on 1 st Draft	Within 30 working days from submission of Task A2.1-A2.4.
A4.2	2 nd Draft(s)	Electronic Submission	Within the last day of the 21 st month since signing of the contract
A3.2	Consultation	Consultation on 2 nd Draft	Within 30 working days from submission of Task A4.2.
A4.3	Finalization of Draft(s)	Electronic Submission	Within the last day of the 27 th month since signing of the contract
A4.4	Translation to Bangla of the Draft(s)	Electronic Submission	Within the last day of the 27 th month since signing of the contract
<i>Category 2: Pollution Abatement and Management</i>			
B1.4	Report (in English)	Electronic Submission PDF	Within the last day of the 9 th month since signing the contract
B2.1-B2.12	1 st Draft(s) of Documents	Electronic Submission PDF	Within the last day of the 18 th month since signing of the contract
B3.1	Consultation	Consultation on 1 st Draft	Within 30 working days from submission of Task B2.1-B2.12.
B4.2	2 nd Draft(s)	Electronic Submission	Within the last day of the 30 th month since signing of the contract
A3.2	Consultation	Consultation on 2 nd Draft	Within 30 working days from submission of Task B4.2.
B4.3	Finalization of Draft(s)	Electronic Submission	Within the last day of the 33 rd month since signing of the contract
B4.4	Translation to Bangla of the Draft(s)	Electronic Submission	Within the last day of the 33 rd month since signing of the contract

QUALIFICATIONS OF EXPERTS

Consulting firm's Required Experience, Resources & Delivery Capacity

The Consulting firm should propose a team of experts that contains a skill mix relevant and sufficient to deliver the required consultancy services. The eligibility requirements for the key and non-key experts are included in Table 2 and Table 3 respectively.

Minimum Eligibility of Consulting Firm:

- General experience of the consulting firm should be at least 08 (eight) years;
- Specific experience in conducting similar nature consultancy services of legal reviewing, reporting, and drafting;
- Conducting similar nature consultancy services of legal reviewing, reporting, and drafting for Government agencies will be referred;
- Specific experience in conducting/finishing assignments of similar nature in the last 3 (three) years;
- Availability of appropriate skills/ experts among staff demonstrated capacity to handle such assignment in terms of resources;
- Availability of other resources - logistical and support services of the firm;
- Updated trade license, VAT & IT/AIT certificates; Audited financial reports of the proposers for the last 03 (three) years;
- Joint venture is acceptable. For JV mention the lead firm's name;
- Work of similar nature with development partners or donor funded projects is preferable;

List of Key Experts and their roles, qualifications, and experience

The consulting firm will maintain the following skill sets for key experts who shall be adequately qualified and experienced to satisfactorily and timely deliver the expected outputs.

Table 2: Eligibility Criteria of Key Experts

Sl. No.	Position	Indicative task	Qualification and experience	Person months (estimated)
1	Team Leader (Senior Legal Specialist- Environmental Law)	The responsibilities include (i) acting as the Team Leader, as well as the responsible spokesperson for the consulting service and maintaining liaison with PD, BEST, DoE and WB (ii) project management, quality enhancement and assurance of the tasks under the project, (iii) timely completion of the project while maintaining acceptable quality standards for all assignments.	A minimum graduate degree in Law with a demonstrated membership of a recognized professional institution, and a minimum of 15 (fifteen) years of overall professional experience in the legal profession, including leading and managing a project of environmental significance is required. A postgraduate in law with focus on environmental legislation and governance is also preferred. The candidate should have completed a minimum of 5 (five) similar projects in the last 10 (ten) years. Conducting similar nature consultancy services of legal reviewing, reporting, and drafting for Government agencies will be referred. They should be proficient in both Bangla and English.	12-man months
2	Senior Legal Expert- Environmental Law	The responsibilities include (i) providing technical support on benchmarking, and gap assessment exercise (ii) drafting of the law, rules, policies and strategies as mentioned under assignments A and B (iii) undertaking quality assurance and enhancement tasks during drafting and finalization of law, rules, policies and strategies as mentioned under assignments A and B and (v) working with stakeholder consultation coordinator to support all stakeholder consultations. The Senior Legal Expert will work under the supervision of the Team Leader	A minimum graduate degree in law and membership in a recognized professional institution. A postgraduate degree in law or public policy, particularly with specialization in environmental law and policy, is preferred. They should have a minimum of 10 (ten) years of overall work experience, with at least 7 (Seven) years dedicated to environmental conservation and protection. Demonstrated completion of a minimum of 3 (three) projects similar in nature within the last 7 (seven) years is essential. They should be proficient in both Bangla and English.	6-man months
3	Junior Legal Expert	The responsibilities include (i) providing technical support on benchmarking, and gap assessment exercise (ii) supporting the drafting of the law, rules, policies and strategies as mentioned under assignments A and B (iii) undertaking quality assurance and enhancement tasks during drafting and finalization of law, rules, policies and strategies as mentioned under	A minimum graduate degree in law and membership in a recognized professional institution. A postgraduate degree in law or public policy, particularly with specialization in environmental law and policy, is preferred. They should have a minimum of 5 (five) years of overall work experience, with at least 3 (three) years dedicated to environmental conservation and protection. They should be proficient in both Bangla and English.	24-man months

		assignments A and B and (v) support all stakeholder consultations, (vi) translating all the drafts to English to reflect the legal intent of the legal and policy documents. The Legal Expert will work under the supervision of the Team Leader and the Senior Legal Expert.		
4	Policy Analyst	The responsibilities include (i) providing technical support on benchmarking, and gap assessment exercise (ii) drafting of policies and strategies as mentioned under assignment B (iii) undertaking quality assurance and enhancement tasks during drafting and finalization of policies and strategies as mentioned under assignment B and (v) support all stakeholder consultations. The Policy Analyst will work under the supervision of the Team Leader and the Senior Legal Expert.	A minimum graduate degree in law, public policy, environmental science, and management. Additionally, a minimum of 5 (five) years of experience in legal and/or policy research and analysis is required, along with completion of at least one project of similar nature within the last 3 (three) years. They should be proficient in both Bangla and English.	4-man months
5	Stakeholder Consultation Coordinator	Responsibilities include (i) prepare a stakeholder engagement/consultation plan for the dissemination and consultation events to finalize the draft law and policy (ii) design and conduct stakeholder consultations with support from team members as per stakeholder engagement/consultation plan and (iii) lead the preparation of minutes for the consultations. The Stakeholder Consultation Coordinator will work under the supervision of the Team Leader and the Senior Legal Expert.	A minimum graduate degree in communications, journalism, law, public policy, environmental science, or relevant topics. Additionally, a minimum of 5 (five) years of experience in conducting stakeholder consultations along with completion of at least one project of similar nature within the last 3 (three) years. They should be proficient in both Bangla and English.	18-man months

List of Non-Key Experts

In addition to the above key team members, the Consultant may propose other experts, and non-key members are required to conduct the tasks in a satisfactory manner. However, qualifications of non-key experts will not be considered in the evaluation of the proposals. Only the CVs of key experts listed above will be considered for evaluation. While hiring non-key experts and assigning task, the Team Leader shall consult with the PD and receive prior approval. An indicative list of non-key experts for successful completion of tasks is given below:

Table 3 Eligibility Criteria of Non-Key Experts

Sl. No.	Position	Indicative task	Qualification and experience	Person months (estimated)
1.	Accounts Officer	Responsibilities include (i) maintain register, books and other records in	A minimum bachelor's degree in commerce or accounting, finance or relevant field.	12-man month



		appropriate order to meet statutory and reporting requirements of GOB and to facilitate classification and analysis of financial information including file maintenance in orderly and easily retrievable manners (ii) timely and accurately record transactions in a computerized environment to fulfill accurate and efficient reporting requirements consistently and (iii) check and verify bills, for procurement of goods, works and services for the project as per applicable rules and forwarding to the Team Leader for payment approval.	Excellent knowledge of MS Office and familiarity with relevant computer software (e.g. SAP) and good understanding of accounting and financial reporting principles and practices. At least 5 (five) years' experience as an accounts officer.	
2.	Account Assistant	Responsibilities include assisting the accounts officer to i) maintain register, books and other records in appropriate order to meet statutory and reporting requirements of GOB and to facilitate classification and analysis of financial information including file maintenance in orderly and easily retrievable manners (ii) timely and accurately record transactions in a computerized environment to fulfill accurate and efficient reporting requirements consistently and (iii) check and verify bills, for procurement of goods, works and services for the project as per applicable rules.	A minimum bachelor's degree in commerce or accounting, finance or relevant field. Excellent knowledge of MS Office and familiarity with relevant computer software (e.g. SAP) and good understanding of accounting and financial reporting principles and practices. At least 3 (three) years' experience as an accounts officer.	12-man month
3.	Air Quality Management Specialist	Responsibilities include (i) providing technical support on benchmarking, and gap assessment exercise with emphasis on air quality management (ii) providing support on air quality management issues for the drafting of the law, rules, policies and strategies (iii) undertaking quality assurance and	A minimum master's degree or equivalent in environmental sciences, air quality management, or relevant scientific and technical discipline. The candidate should have at least 10 years relevant experiences in the field of air quality assessment, environmental policy analysis and public consultation processes. They should be	4-man month

		enhancement tasks during drafting and finalization of law, rules, policies and strategies as mentioned under assignments A and B and (v) support all stakeholder consultations	proficient in both Bangla and English.	
4.	Solid Waste Management Specialist	Responsibilities include (i) providing technical support on benchmarking, and gap assessment exercise with emphasis on solid waste management (ii) providing support on solid waste management issues for the drafting of the law, rules, policies and strategies (iii) undertaking quality assurance and enhancement tasks during drafting and finalization of law, rules, policies and strategies as mentioned under assignments A and B and (v) support all stakeholder consultations	A minimum master's degree or equivalent in environmental sciences, solid waste management, or relevant scientific and technical discipline. The candidate should have at least 10 years relevant experience in the field of solid waste management, environmental policy analysis and public consultation processes. They should be proficient in both Bangla and English.	4-man month
5.	Water Quality Management Specialist	Responsibilities include (i) providing technical support on benchmarking, and gap assessment exercise with emphasis on water quality management (ii) providing support on water quality management issues for the drafting of the law, rules, policies and strategies (iii) undertaking quality assurance and enhancement tasks during drafting and finalization of law, rules, policies and strategies as mentioned under assignments A and B and (v) support all stakeholder consultations	A minimum master's degree or equivalent in environmental sciences, water quality management, or relevant scientific and technical discipline. The candidate should have at least 10 years relevant experiences in the field of water quality assessment, environmental policy analysis and public consultation processes. They should be proficient in both Bangla and English.	4-man month
6.	Medical Waste Management Specialist	The responsibilities include (i) providing technical support on benchmarking, and gap assessment exercise with emphasis on medical waste management (ii) providing support on medical management issues for the drafting of the law, rules, policies and strategies (iii) undertaking quality assurance and enhancement tasks during	A minimum master's degree or equivalent in environmental sciences, health services or relevant scientific and technical discipline. The candidate should have at least 10 years relevant experiences in the field of medical assessment, environmental policy analysis and public consultation processes. They should be proficient in both Bangla and English.	2-man month

		drafting and finalization of law, rules, policies and strategies as mentioned under assignments A and B and (v) support all stakeholder consultations		
7.	Social & Gender Specialist	Responsibilities include (i) providing technical support on benchmarking, and gap assessment exercise with emphasis on social and gender issues (ii) providing support on social and gender issues for the drafting of the law, rules, policies and strategies (iii) undertaking quality assurance and enhancement tasks during drafting and finalization of law, rules, policies and strategies as mentioned under assignments A and B and (v) support all stakeholder consultations	A minimum master's degree or equivalent in social sciences, gender or relevant and technical discipline. The candidate should have at least 10 years relevant experiences in the field of social impact assessment, gender policy analysis and public consultation processes. They should be proficient in both Bangla and English.	3-man month
8.	Environmental Economist (Green Growth)	Responsibilities include (i) providing technical support on benchmarking, and gap assessment exercise with emphasis on green growth (ii) providing support on green growth issues for the drafting of the rules, policies and strategies (iii) undertaking quality assurance and enhancement tasks during drafting and finalization of law, rules, policies and strategies as mentioned under assignments A and B and (v) support all stakeholder consultations	A minimum master's degree or equivalent in environmental economics, environmental management, or relevant scientific and technical discipline. The candidate should have at least 10 years relevant experiences in the field of green growth issues, environmental policy analysis and public consultation processes. They should be proficient in both Bangla and English.	4-man month

These non-key experts are critical for providing specialized input and support at various levels of the project.

Data, facilities, office space and other local services to be provided by the Client to the Consultant

DoE will assist the Consultant as may be necessary or appropriate for the prompt and effective execution of the assignment and for this DoE will assist the Consultant with the following:

- I. Provide copies (where possible) of all key documents (including ESA, ESIA, ESMF and other relevant technical documents requested by the Consultant);
- II. Facilitate identifying relevant stakeholders and conducting meetings with all identified stakeholders.
- III. Provide existing data and information including all reports prepared so far for the project and other relevant reports which may be available in future.

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- IV. Both the consultant and PIU-DoE will treat all personal data collected under the assignment with confidentiality and secure privacy. All documents, data, and information shall be treated as confidential and shall not be made available to any third party without the written approval of DoE. All documents containing both raw data/materials provided by DoE and final report are to be returned to DoE upon completion of the assignment. No part of the report shall be reproduced except with the prior, expressed and specific written permission of DoE.
 - V. Provide office space and access to conference room for facilitating discussions and stakeholder engagement. However, logistics or any other arrangements shall be borne by the team of consultants.
 - VI. Set up a coordination mechanism to review progress and provide guidance and advice.

Environmental and Social Policy

In carrying out the assignment, the consultant will be guided by the BEST Project's E&S documents (ESMF, LMP, SEP, RPF, ESCP, etc.). The overall goal, at a minimum, shall be integrating environmental protection, ensure occupational and community health and safety of the members, actively promote gender equity and enforce a Code of Conduct for SEA/SH risk management and mitigation including community health and safety. Consultation and stakeholder engagement will be ensured all through the assignment from preparation to implementation and feedback from the stakeholders will be integrated in the project design and implementation where relevant.



Annex I: Timeline of Task Completion

		Contract Year 1	Contract Year 2				Contract Year 3				Non-Key Expert Required for Task
		FY25-26	FY26-27				FY27-28				
Months since Signing of Contract →		3	6	9	12	15	18	21	24	27	
Assignment A	Draft Legal and Policy Documents on Governance and Regulatory Reform										
Task A1	Report Preparation										
Subtask A1.1	Review existing documents and benchmarking against best practices										
Subtask A1.2	Stakeholder mapping and engagement										
Subtask A1.3	Gap identification										
Subtask A1.4	Report Preparation										
Task A2	Preparation of 1st Draft(s) in English and Bangla										
Subtask A2.1	Bangladesh Environment Conservation Act, 1995 (Amendment)										



Subtask A2.2	Bangladesh Environmental Conservation Rules, 2023 (Amendment)				
Subtask A2.3	The National Environment Policy, 2018				
Subtask A2.4	Public Information Disclosure Policy				
Task A3	Consultation				
Subtask A3.1	Consultation and Feedback engagement on 1st Draft of documents				
Subtask A3.2	Consultation and Feedback engagement on 2nd Draft of documents				
Task A4	Preparation of 2nd Draft in English and Bangla				
Subtask A4.1	Integration of all comments and feedback from consultations into a comment matrix				

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Subtask A4.2	Resolution of comments and concerns raised in consultations into the 1st Draft				
Subtask A4.3	Finalization of the drafts				
Subtask A4.4	Translation of documents of the final draft				

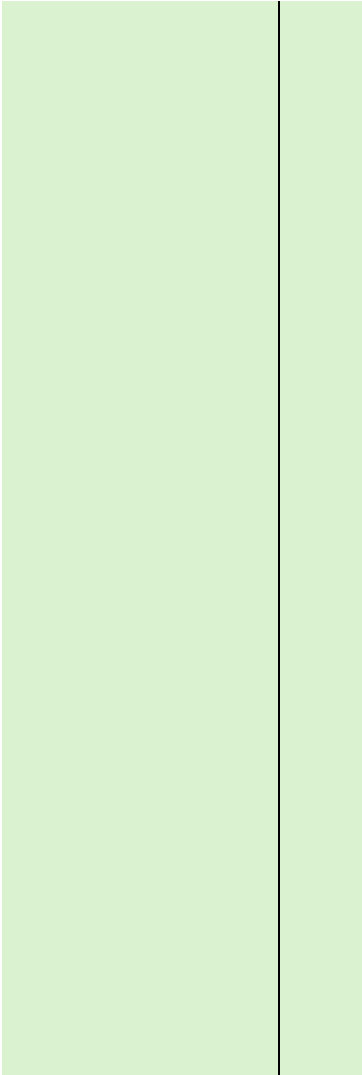

Assignment B	Draft Legal and Policy Documents on Pollution Mitigation and Abatement			
Task B1	Report Preparation			
Subtask B1.1	Review existing documents and benchmarking against best practices			
Subtask B1.2	Stakeholder mapping and engagement			
Subtask B1.3	Gap identification			
Subtask B1.4	Report Preparation			
Task B2	Preparation of 1st Draft(s)			



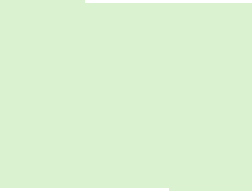
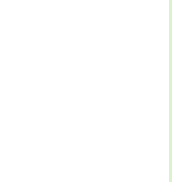

Subtask B2.1	Water Pollution (Control) Rules including Directives for Online Water Quality Monitoring:			Water Quality Management Specialist
Subtask B2.2	Formulation of Reactive Nitrogen Management Policy			Air Quality Management Specialist
Subtask B2.3	Formulation of Guideline for Self-Monitoring and Report of ETPs/CETPs			Air Quality Management Specialist
Subtask B2.4	Formulation of Policy Framework for Circularity in Textile and Plastic sector			Solid Waste Management Specialist
Subtask B2.5	Formulation of Extended Producer Responsibility (EPR) Guidelines/Directives for Solid Waste (E-waste) Management			Solid Waste Management Specialist
Subtask B2.6	Formulation of National Solid Waste Management Framework			Solid Waste Management Specialist

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Subtask B2.7	Formulation of Standard Operating Procedure (SOP) for Used Lead Acid Battery recycling industry, Pyrolysis, Auto Rice Mill, Pesticide Repacking and Formulation, Scrap Steel recycling Industry, Charcoal Brickette, Spent Oil Recycling, Zinc Fertilizer, Sulfuric Acid Manufacturing Industries			Air Quality Management Specialist, Solid Waste Management Specialist
Subtask B2.8	Formulation of Guidelines, including, Directives for Industry Specific Air Pollution Management			Air Quality Management Specialist
Subtask B2.9	Formulation of Guidelines, including, Directives for Degraded Airsheds declaration			Air Quality Management Specialist

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Subtask B2.10	Formulation of Road Map to switching from Burnt Bricks to alternatives (Developing an impartial model for Cost-Benefit Analysis for all possible alternatives)		
Subtask B2.11	Formulation of EIA Guidelines/Directives for Housing Project and Steel mill and Amendment of EIA Guidelines/Directives for Industries and Sector Specific six EIA Guidelines/Directives (Pharmaceuticals, Coal mine, Cement, Road and Bridges, Textile, Projects on Natural Gas)		
Subtask B2.12	Amendment of Guidelines/Directives on Sustainable sand and Stone/Gravel mining management		
Task B3	Consultation		

Subtask B3.1	Consultation and Feedback engagement on 1st Draft of documents			Social and Gender Specialist
Subtask B3.2	Consultation and Feedback engagement on 2nd Draft of documents			Social and Gender Specialist
Task B4	Preparation of 2nd draft			
Subtask B4.1	Integration of all comments and feedback from consultations into a comment matrix			
Subtask B4.2	Resolution of comments and concerns raised in consultations into the first drafts			
Subtask B4.3	Finalization of the drafts			
Subtask B4.4	Translation of documents of the final draft			

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