

Terms of reference

Introduction:

Residents from the village of Olyanytsya in the Vinnytsia region of Ukraine, together with Myronivsky Hliboproduct (MHP) (collectively “the Parties”), wish to jointly commission a study to assess the cause of cracks and other damage to homes and buildings along a main roadway through the village. This study will help the Parties to resolve issues being discussed in a voluntary joint dialogue process run by the accountability offices of the International Finance Corporation (IFC) and the European Bank for Reconstruction and Development (EBRD).

Objective and scope of work:

The joint fact finding study will serve as a “pilot study” to examine a sample of approx. 5 houses along the main road, out of a total of 46 houses for which allegations have been made of damage due to road vibrations.

The objective is to identify the cause of building damage for each building participating in the pilot study.

Selection of Expert(s):

Experts will be mutually agreed upon by the Parties. Selections will be made on the basis of experts’ independence, competence and credibility, as well as their ability to work constructively with the Parties. Specifically, the proposed independent Team is to be collectively vetted against the following qualifications:

- Relevant academic credentials and experience for the type of work sought;
- Familiarity with common construction practices and road conditions used in Ukraine;
- Specific expertise is desired in: assessing vibration impacts to nearby structures;
- Ability to deliver the results of complicated technical findings in a simple way allowing clear understanding of the reasons for caused damage to the buildings etc.;
- Ability to be objective and credible;
- Candidates have never been directly involved in any design, development or implementation of any work for OJSC Myronivsky Hliboproduct or its subsidiaries, CEE Bankwatch Network, Centre for Ecological Initiatives EcoAction NGO, National Ecological Centre of Ukraine NGO and never worked for them, nor taken clear positions on any of MHP’s business activities.

Methodology:

The study is expected to include assessment of the cause of damages for a sampling of approx. 5 houses.

A full methodology for the study will be agreed and finalized in consultation with the selected expert(s). However, for each house, the study is expected to include:

- Visual assessment of houses, road and surrounding area
- Interviews with homeowners and other relevant persons
- Soil testing and other testing, as decided with the expert

The parties anticipate that the study will take place over the summer. An exact timeline will be discussed and agreed with the selected expert(s).

In light of the COVID-19 pandemic, the expert(s) will also be expected to agree to certain safety measures to reduce the risk of transmission while undertaking their assignment.

At the end of the study, the expert(s) will be asked to provide a conclusion regarding the cause of damage for each house.