



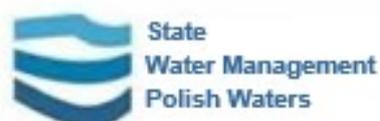
FINAL REPORT



ODRA-VISTULA
FLOOD MANAGEMENT PROJECT
CO-FUNDED BY:

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AUGUST 2023



**Final report on the implementation of measures specified in the Environmental
Management Plan
for Contract 1B.3/1**

**FINAL REPORT
ON THE IMPLEMENTATION OF MEASURES SPECIFIED IN THE ENVIRONMENTAL MANAGEMENT PLAN
FOR CONTRACT 1B.3/1**

Odra–Vistula Flood Management Project

Subcomponent	1B Flood protection of the Lower and Middle Odra
Contract Task	Stage I: Construction of mooring base for icebreakers Contract 1B.3/1
Investor/Project Implementation Unit	State Water Management Polish Waters in Warsaw represented by the Director of the Regional Water Management Authority in Szczecin
Works Contractor	STRABAG Sp. z o.o. General Construction ul. Storrady Świętosławy 1C/4 71-602 Szczecin
Contract Engineer	SWECO Polska Sp. z o.o. – Leader ul. Franklina Roosevelta 22, 60-829 Poznań SWECO Nederland B.V. – Partner De Bilt, De Holle Bilt 22 Mailing address: SWECO Polska sp. z o.o. Łyskowskiego 16 71–641 Szczecin

**Final report on the implementation of measures specified in the Environmental
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BACKGROUND

The final report on the implementation of measures specified in the Environmental Management Plan describes the status of the implementation of mitigation and monitoring measures for Contract 1B.3/1 throughout the duration of the Contract.

For this Contract, the following are presented, respectively:

- basic information about Contract 1B.3/1 (including, but not limited to, the material scope and basic dates of the Contract);
- basic information on the Environmental Management Plan for Contract 1B.3/1;
- organizational system of supervision over the implementation of the Environmental Management Plan;
- the status of implementation of mitigation measures listed in Appendix 1 to the EMP;
- the status of implementation of monitoring measures listed in Appendix 2 to the EMP;
- description of other ESHS measures and events;
- summary.

**Final report on the implementation of measures specified in the Environmental
Management Plan
for Contract 1B.3/1**

1. BASIC INFORMATION ABOUT CONTRACT 1B.3/1

This Environmental Management Plan (EMP) Implementation Report relates to *Task 1B.3/1 Phase I: Construction of a mooring base for icebreakers*, which was part of Sub-Component 1B of the Odra-Vistula Flood Management Project (OVFMP) and was implemented as Works Contract: 1B.3/1.

The subject of the Contract was the construction of a mooring base for icebreakers, which included:

- construction of an icebreaker mooring quay, approx. 140 m long, with mooring places for 8 icebreaker vessels;
- reconstruction of the existing mooring basin and construction of an approx. 50 m long service and repair quay;
- dredging works in the docking basin and at the designed mooring quay;
- demolition of the existing allotment infrastructure, the existing quays of the docking basin and the existing revetments along the Regalica River;
- construction of electrical installations to power pedestals on the quay;
- demolition of buildings (11 units);
- construction of a workshop and storage building, consisting of:
 - a warehouse and workshop hall with staff and office facilities and workshop rooms;
 - storage canopy with a total area of approx. 930 m²;
- construction of a hydrophore plant, a fire-fighting tank, bin shelters;
- construction of a garage building – garage No. 2, approx. 110.5 m²;
- development of the site and construction of the necessary infrastructure, including: construction of a road system with a manoeuvre and storage area and landscaped green area design.

Table 1 Summary of key dates for the Contract

Action	Date
Date of signing the Agreement	07/05/2021
Date of partial handover of the Construction Site*	18/05/2021
Date of partial handover of the Construction Site*	02/06/2021
Date of commencement of construction works	09/06/2021
Date of partial handover of the Construction Site*	16/06/2021
Date of approval of the Schedule of Works	30/06/2021
Date of final handover of the Construction Site*	24/08/2021
Date of signing Annex No. 1 – change in the members of the Environmental Supervision team	24/08/2021
Date of approval of the Schedule of Works update	28/10/2021
Date of approval of the Schedule of Works update	30/11/2021
Date of signing Annex No. 2 – change of date of completion of Works 01/12/2022, additional and replacement works in accordance with Necessity Reports 1-7	30/06/2022
Date of signing Annex No. 3 – additional and replacement works in accordance with Necessity Reports 9-18	06/12/2022
Date of signing Annex No. 4 – additional works in accordance with Necessity Reports 20-22	09/02/2023
Obtaining a conditional <i>No objection</i> for the Annex to the EMP	08/02/2023
Reporting readiness for final acceptance	23/02/2023 (excluding dredging works)

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Annex No. 5 – Construction overheads and change of final date	pending
Reporting readiness for final acceptance	07/04/2023
Final acceptance procedure	20/04/2023

*The partial handover of the Construction Site to the Contractor was due to the need for the Employer to ensure that the electrical connection was disconnected and the power supply in the boxes located on the Construction Site was removed, as well as the need for the Employer to ensure that there were no members of the public on the Construction Site being handed over. These conditions were met and the Site was handed over to the extent that the Contractor was able to undertake preparatory activities 28 days late in relation to the contractual deadline. The above had an impact on the Contract completion date, which was reflected in Annex 2 to the Contract concluded by the Parties.

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2. MITIGATION AND MONITORING MEASURES AS DEFINED IN THE EMP FOR CONTRACT 1B.3/1

The Environmental Management Plan for Contract 1B.3/1 was prepared in October 2019 (final version). Subsequently, in November 2019, the World Bank issued a "No objection" approval approving the Environmental Management Plan as one of the documents of the bidding procedure for the selection of the Works Contractor under the Contract. This is a document systematizing the measures undertaken under the Contract, obliging all entities participating in Contract implementation to comply with the provisions contained therein. A detailed description of the conditions for the implementation of the Contract with respect to environmental management was prepared in the form of appendices to the Environmental Management Plan – Appendix 1 containing the Mitigation Plan, and Appendix 2 containing the Monitoring Plan.

2.1. MITIGATION AND MONITORING MEASURES – ANNEX TO THE EMP

During the Contract implementation phase, the need to change the management of dredging sediment and to change the disposal site necessitated in February 2023 the development of an Annex to the Environmental Management Plan in this regard and the introduction of additional mitigation measures. In February 2023 the World Bank issued a "No objection" approval, approving the Annex to the Environmental Management Plan.

2.2. CONDITIONS SPECIFIED IN APPENDIX 1 TO THE EMP

In order to limit the negative impacts of the planned Task on the environment, Appendix 1 to the EMP provides a set of mitigation measures 1 to 118, including 19a, to be applied by the Contractor. These measures were prepared on the basis of the conditions contained in the applicable administrative decisions on environmental protection issued for the Task (including the works notification) in addition to the additional conditions established at the stage of EMP preparation. A complete list of mitigation measures is compiled in Appendix 1 to the EMP, and divided into the following categories:

Table 2 Thematic categories of the grouped activities listed in Appendix 1 to the EMP

Cat.	Category name	Item in table
A	Requirements for the Task implementation schedule	1 - 2
B	Requirements for traffic management at the Task site	3-13
C	Requirements for the location of site facilities and roads, material storage areas, and parking spaces	14 - 16
D	Requirements for the dredging spoil and soil management	17 - 22, including 19a
E	Requirements for handling the humus layer	23 - 28
F	Requirements for felling trees and removing shrubs and reed beds	29 - 30
G	Requirements for the protection of trees and shrubs not intended for removal	31 - 32
H	Requirements for securing protected natural resources	33 - 50

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I	Requirements for the restoration of green areas after the completion of construction	51 - 55
J	Requirements for preventing environmental pollution (including reducing emissions to the environment)	56 - 72
F	Requirements for waste management	73-79
L	Requirements for the protection of human health and safety	80 - 89
M	Requirements for extraordinary environmental hazards	90 - 98
N	Requirements for the conservation of cultural artefacts	99-100
O	Requirements for contractor's personnel involved in the EMP implementation	101 - 105
P	Requirements for reporting the implementation of the EMP	106 - 109
R	Management strategies, implementation plans for the ESHS and specific requirements of the ESHS policies	110 - 118

2.3. CONDITIONS SPECIFIED IN APPENDIX 2 TO THE EMP

Appendix 2 to the EMP sets out a series of monitoring measures the Task Contractor is obliged to implement. These measures were prepared on the basis of the conditions contained in the works notification and applicable administrative decisions issued for the Task, in addition to the additional conditions established at the stage of EMP preparation. Monitoring measures listed in Appendix 2 to the EMP, item 1-118, including 19a, include monitoring the implementation of mitigation measures listed in Appendix 1 to the EMP. The monitoring measures detailed in Appendix No. 2 to the EMP are allocated to the individual measure groups as indicated above.

In addition, items 119-123 set out the requirements for conducting environmental monitoring during the Task implementation period.

The table of monitoring measures specifies, among other things, where, how, when, and how often monitoring will be carried out, as well as who is responsible for its implementation.

3. SYSTEM OF SUPERVISION OVER THE IMPLEMENTATION OF MEASURES SPECIFIED IN THE EMP FOR CONTRACT 1B.3/1

Supervision over the implementation of mitigation and monitoring measures specified in the EMP for Contract 1B.3/1 was carried out at the level of all organizational units participating in the implementation of the Contract, i.e., the Contractor, Engineer, Project Implementation Unit (PIU), and Project Coordination Unit.

In addition, monthly meetings were held during the Contract period to discuss and review the implementation of the mitigation and monitoring measures from the EMP. Current requirements and problems related to the implementation of the measures defined in the EMP were also discussed during the monthly Construction Council Meetings. All meetings were attended by representatives of the Contract Engineer, the Employer (Project Implementation Unit), the Contractor, and the Project Coordination Unit. At the same time, during the execution of the Contract, there was ongoing monitoring of the correctness of the implementation of the various measures through regular inspections by the Engineer, the Engineer's environmental supervision team, and the Engineer's OHS supervision team at the construction site. Notes and reports from the various inspections were prepared, as was photographic documentation of the site, and sample photographs are included in Appendix 2 to this report. During field inspections and working meetings with the Contractor, ongoing measures were discussed, steps to be taken were identified, and ongoing recommendations were made. Recommendations were also communicated to the Contractor on a regular basis through ongoing correspondence and verification of the documentation provided by the Contractor. Supervision was also carried out to ensure that the Contract was carried out correctly in terms of the requirements of the Contract, as well as the applicable laws and regulations, including, but not limited to, the Construction Law and the Environmental Protection Law, and the administrative decisions obtained for the purposes of the Contract.

Supervision of the implementation of the measures from the EMP included the preparation of reports in the Contractor's monthly reporting system, reviewed by the Engineer, and the Engineer's monthly reports. On the basis of the monthly reports, summary quarterly reports were prepared and submitted to the Project Implementation Unit, which was then forwarded to the Project Coordination Unit. The quarterly reports provided input to PCU reports subsequently submitted to the World Bank.

Information on the scope of operation of individual units is presented below.

3.1. CONTRACTOR

The Construction Manager was the person directly responsible for the implementation of measures specified in the EMP on behalf of the Contractor. In order to provide support to the Construction Manager in the implementation of the EMP, an EMP Coordinator and an environmental supervision team have been appointed within the Contractor's team, consisting of representatives of the following specialisations: botanist-phytosociologist (natural habitats and protected plant species), dendrologist (principles of tree care and protection), zoologist-ichthyologist (fish), zoologist-herpetologist (amphibians and reptiles), zoologist-ornithologist (birds), zoologist-mammal specialist (non-flying mammals), and zoologist-chiropterologist (bats). The EMP Coordinator was to work on an ongoing basis with the Construction Manager, the rest of the Contractor's staff, and the environmental management expert on the Engineer's team to ensure that the conditions of the EMP were implemented, and to conduct ongoing reporting on the above. In addition, the Contractor ensured the participation of archaeological supervision experts and sapper experts, throughout the duration of the Contract, to the extent consistent with the requirements of the EMP. At the end of each month, the EMP Coordinator prepared the so-called Checklist, where the current status of implementation of individual EMP conditions in a given month was described. The Checklist was forwarded to the environmental management expert on the Engineer's team, along with relevant attachments (including but not limited to applications, environmental supervision opinions, etc.).

3.2. ENGINEER

Direct supervision of the implementation of the conditions of the EMP on behalf of the Engineer's team was carried out by an environmental management expert with the Engineer's environmental supervision, working in this respect with the Resident Engineer, the supervising inspectors, and other members of the Engineer's team carrying out investor's supervision of the project. The Environmental management expert remained at all times in touch with the Construction Manager and the EMP Coordinator on the Contractor's team, establishing the scope of necessary conditions to be met at a given stage of the works, overseeing the status of implementation of individual EMP conditions, participating in the resolution of ongoing problems, and commissioning site inspections. At the end of each reporting period, the Environmental Management Expert reviewed the Contractor's environmental documentation and prepared their own reports (monthly and quarterly) submitted to the Project Implementation Unit.

3.3. EMPLOYER/PROJECT IMPLEMENTATION UNIT [PIU]

Direct supervision over the implementation of the EMP conditions on behalf of the Project Implementation Unit (PIU) was exercised by the Environmental Specialist, cooperating in this respect with the Head of the PIU, other members of the PIU team, as well as other organizational units of PGW WP RZGW in Szczecin. The Environmental Specialist and the Head of the PIU remained at all times in touch with the environmental management expert on the Engineer's team, overseeing the status of the implementation of the various conditions of the EMP and engaging in the resolution of ongoing issues. After the end of each reporting period (month and quarter), the Environmental Specialist and the Head of the PIU verified the current environmental documentation of the Contract and sent quarterly reports to the Project Coordination Unit.

3.4. PROJECT COORDINATION UNIT [PCU]

Direct supervision over the implementation of the EMP conditions on behalf of the Project Coordination Unit was exercised by the environmental management expert, who cooperated in this respect with other members of the PCU team. The expert was at all times in touch with the Head of the PIU and the Environmental Specialist on the PIU team. At the end of each reporting period (quarter), the expert verified the environmental documentation submitted by the PIU and prepared the contribution to the PCU reports subsequently submitted to the World Bank.

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4. STATUS OF IMPLEMENTATION OF MITIGATION MEASURES FROM APPENDIX 1 TO THE EMP

In accordance with the content of Appendix 1 to the EMP for Contract 1B.3/1, the Contractor is responsible for the implementation of mitigation measures specified in items 1 to 101, including 19a, and 103 to 118. In total, the EMP for Contract 1B.3/1 provides for the implementation of 119 mitigation measures (118, including 19a), of which 107 were being implemented during the reporting period (May 2021 to April 2023) (there was no need to implement the remaining 12 measures – see below).

4.1. MEASURES OF THE CONTRACTOR

According to the information submitted in the Contractor's individual monthly reports, the measures implemented by the Contractor, included in Appendix 1, i.e., mitigation measures, were as per the following quantitative summary.

Table 3 Quantitative summary of mitigation measures carried out by the Contractor, by month, during Contract execution

Reporting period	Measures implemented - I	Measures partially implemented - PI	Measures not implemented due to a lack of necessity - N/NN	Measures not implemented - N/N	Measure completed [N/C]
May 2021	2	15	93	8	-
June 2021	9	12	89	8	-
July 2021	19	7	85	7	-
August 2021	24	8	83	3	-
September 2021	33	4	81	-	-
October 2021	36	11	68	-	3
November 2021	65	10	39	-	4
December 2021	66	10	32	-	10
January 2022	65	13	30	-	10
February 2022	75	4	29	-	10
March 2022	72	8	28	-	10
April 2022	75	3	26	2	12
May 2022	75	2	29	-	12
June 2022	74	3	29	-	12
July 2022	76	3	27	-	12
August 2022	76	4	26	-	12
September 2022	75	7	25	-	11
October 2022	82	2	23	-	11
November 2022	86	3	18	-	11
December 2022	81	6	19	-	12
January 2023	82	6	17	-	13
February 2023	84	3	15	-	17
March 2023	79	4	15	2	19
April 2023	68	1	13	1	36

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The above summary clearly shows that the implementation of the individual measures was linked to the actual progress of the works, i.e., from November 2021 to March 2023. The largest number of mitigation measures was implemented during this period [R_{max} – 86 – November 2022], which accounted for approximately 73% of all measures.

The mitigation measures were carried out by the Contractor with the assistance of the person acting as EMP coordinator and specialists from the Contractor's environmental team. During the reporting period, the environmental supervision team consisted of representatives of the following specialisations: botanist-phytosociologist (natural habitats and protected plant species), dendrologist (principles of tree care and protection), zoologist-ichthyologist (fish), zoologist-herpetologist (amphibians and reptiles), zoologist-ornithologist (birds), zoologist-mammal specialist (non-flying mammals), and zoologist-chiropterologist (bats).

The Contractor's resources also included sapper and archaeological supervision, provided throughout the Contract. The Contractor had an Explosive Ordnance Disposal Work Plan in place and the Sapper Supervision team carried out reconnaissance and clearance of unexploded ordnance, ammunition, etc. on the construction site and on the bottom surface and in the bed of the Regalica River within the area of dredging and hydrotechnical works prior to the commencement of the works, and in the event of the need for the Sapper Supervision team to take action due to finding hazardous objects of military origin, i.e., unexploded ordnance, the supervision team took appropriate action in accordance with the procedure under item 92 of the EMP and submitted a report on the retrieval of explosive and hazardous items each time. The Archaeological Supervision Team inspected the site successively for archaeological sources and objects of potential historical significance, on which it produced an Archaeological Survey Report each time. Mitigation measures were agreed (if required by the terms of the Contract and/or EMP) and supervised by the Engineer, with the participation of the following members of the Engineer's team: environmental management expert, Contract Engineer's environmental supervision expert, Resident Engineer, and the Employer.

4.2. MEASURES OF THE ENGINEER

According to the information presented in the monthly and quarterly reports on the implementation of measures specified in the EMP, during the reporting period, the Engineer implemented 1 (1%) mitigation measure (in cooperation with the Contractor and the Employer – item 107 regarding monthly EMP meetings).

During the reporting period, two failures were identified in this regard (March 2023 and April 2023) – the measure was not being implemented during this reporting period, despite the fact that such an obligation is indicated in the EMP. The lack of an EMP meeting conducted during this period was due to the fact that, in accordance with the Contract, the Contract lasted until 28 February 2023 and, therefore, during the subsequent months of work resulting from the Contractor's delay, the EMP and Construction Council Meetings, which are held during the Contract in accordance with the Contract, were not held.

4.3. MEASURES OF THE EMPLOYER

According to the information presented in the monthly and quarterly reports on the implementation of measures specified in the EMP, during the reporting period, the Employer implemented 1 (1%) mitigation measure [in cooperation with the Contractor and the Engineer – item 107 regarding monthly EMP meetings].

During the reporting period, two failures were identified in this regard [March and April 2023] – the measure was not being implemented during this reporting period, despite the fact that such an obligation is indicated in the EMP. The lack of an EMP meeting conducted during this period was due to the fact that, in accordance with the Contract, the Contract lasted until 28 February 2023 and, therefore, during the

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subsequent months of work resulting from the Contractor's delay, the EMP and Construction Council Meetings, which are held during the Contract in accordance with the Contract, were not held.

4.4. ISSUES RELATING TO THE IMPLEMENTATION OF MITIGATING MEASURES FROM APPENDIX 1 TO THE EMP

According to the information presented in the monthly and quarterly reports on the implementation of measures specified in the EMP, the following problems and/or irregularities related to the implementation of the 62 mitigation measures from Appendix 1 to the EMP for Contract 1B.3/1 were identified during the reporting period (in order according to the item numbers in Appendix 1 to the EMP). A summary of the individual mitigation measures with a description of the status of their implementation over the term of the Contract is provided in Appendix 1 to this report – *Part I. Checklist for the implementation of mitigation measures listed in Appendix 1 to the EMP for Contract 1B.3/1.*

Measures identified as not implemented [N/N] for the period May 2021 – April 2023 [measures not implemented are presented in the order assigned to the individual items in the EMP]:

- **item 19a** [March 2023] – on the *Management of dredged material consisting of uncontaminated sediment displaced within surface waters.*

The Contractor carried out works consisting of moving the sediment, i.e., backfilling the breach in the riverbed of the West Odra, without the use of suspension curtains and carried out the works at a time when the riverbed was off limits. The engineer took corrective action through email correspondence, letters to the Contractor calling for clarifications, and conducted monitoring of the correct implementation of the measure at meetings on the implementation of the measures resulting from the EMP. At the same time, the Contractor carried out the work under the supervision of an ichthyologist from the Contractor's environmental supervision and carried out monitoring of suspension and oxygen concentrations. According to an ichthyologist from the Contractor's environmental supervision, there were no cases of exceeding the designated concentrations of suspended solids or oxygen that would require the works to be stopped in accordance with the EMP. In the opinion of the ichthyologist, oxygen concentration levels were not of concern and exceeded the requirements for the most environmentally demanding species, suspension concentrations were assessed on the basis of the Canadian Department of Fisheries and Oceans (DFO, 2000) criteria as of low risk to ichthyofauna. Based on the opinion of the Contractor's environmental supervision ichthyologist, according to which the water temperature was relatively low until 21 March, which caused little activity of the ichthyofauna, and after 21 March, despite an increase compared to previous reporting periods, no loss of fish or other unusual fish behaviour was observed in the vicinity of the works, the Contractor decided to continue the works in the riverbed.

- **item 33** [June – July 2021] – on the *One-off wildlife inventory of the Task site before the commencement of works.*

Per the Schedule of Works, a delay in the implementation of the Contract related to the wildlife inventory, which should be carried out in the period 14-25 June 2021, was identified. Due to the fact that the Contractor did not submit all members of the environmental supervision team, the measure was not implemented in the indicated reporting period. At the same time, the Contractor did not submit a detailed QAP on the methodology for carrying out a one-off site inventory, prior to the field inventory. The Engineer took corrective action through email correspondence, letters to the Contractor, and conducted monitoring of the correct implementation of the measure at meetings on the implementation of the measures resulting from the EMP. As part of the corrective action, the Contractor submitted the DQAP one-off site inventory methodology and a one-off wildlife inventory was carried out by the Contractor in August with a representative of the Engineer's environmental team. The event had no impact on the environment.

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- **item 39** [April 2022 and March and April 2023] – *on the Dates of works in the Regalica riverbed. The works interfering with the Regalica riverbed should be carried out in the period 1 August – 28 February, i.e. outside of the spawning and spawn incubation season, which lasts from 1 March to 31 July.*

The Contractor was carrying out works in the riverbed in April 2022 despite the time limit exclusion. The measure was not carried out in compliance with the provisions of the EMP. The driving of the missing section of sheet piling was done urgently as an emergency, due to the worrying landslide on the slope and instability in the immediate vicinity of the property adjacent to the construction site, so the work in the riverbed was necessary. The extent of the work carried out that needed to be undertaken was relatively small and the potential impact was localised and temporary, so the incident had no impact on the Contract or the environment.

The Contractor also carried out work in the Regalica and West Odra riverbeds in March and April 2023, a date which was off limits in terms of work in the riverbed. The Engineer took corrective action through email correspondence, letters to the Contractor requesting clarification and indication of the basis for dredging not in accordance with the Contract documents, and carried out monitoring of the correctness of the implementation of the measure at meetings on the implementation of the measures resulting from the EMP. Based on the opinion of the Contractor's environmental supervision ichthyologist, according to which the water temperature was relatively low until 21 March, which caused little activity of the ichthyofauna, and after 21 March, despite an increase compared to previous reporting periods, no loss of fish or other unusual fish behaviour was observed in the vicinity of the works, the Contractor decided to continue the works in the riverbed. The Contractor carried out the work under the supervision of an ichthyologist from the Contractor's environmental supervision and carried out monitoring of suspension and oxygen concentrations. According to an ichthyologist, there were no cases of exceeding the designated concentrations of suspended solids or oxygen that would require the works to be stopped in accordance with the EMP. In the opinion of the ichthyologist, oxygen concentration levels were not of concern and exceeded the requirements for the most environmentally demanding species, while suspension concentrations were assessed on the basis of Canadian Department of Fisheries and Oceans (DFO, 2000) criteria as of low risk to ichthyofauna.

- **item 47** [April 2022] – *on the Protection of ichthyofauna against the increased concentration of the suspension in the Regalica waters.*

Due to the need to carry out urgent emergency work in the riverbed (item 39), i.e., driving the missing section of the sheet pile wall, it was not possible to proceed with measurements of suspension in the water. The extent of the necessary work carried out was relatively small and the potential impact was localised and temporary. The event had no impact on the Contract and the environment.

- **item 89** [May and June 2021] – *Prevention of HIV-AIDS. The Contractor, through an approved service provider, shall implement an awareness-raising programme on the spread of HIV-AIDS (including appropriate training) and shall take all other measures to reduce the risk of transmission of HIV to the Contractor's personnel and to the local community. These measures should be implemented in accordance with the detailed conditions set out in the Contract Bidding Documents (Part 3, Section VIII – General Conditions, clause 6.7).*

The Contractor, during the period indicated, did not fulfil the obligations to implement the measure indicated in item 89, i.e., they did not provide training or taken other action to reduce the risk of HIV transmission among the Contractor's staff and the community. The Engineer took corrective action through email correspondence, letters to the Contractor, and conducted monitoring of the correct implementation of the measure at meetings on the implementation of the measures resulting from the EMP. As part of the corrective action, the Contractor partially carried out the implementation of the measure in July 2021 by taking measures to reduce the risk of HIV transmission among the Contractor's staff, i.e., equipping the office with HIV-AIDS protection measures – purchasing measures to reduce the risk of transmission among staff and the community. In August, the nomination of a dedicated person to conduct training on infectious diseases, including HIV-AIDS, was submitted for the approval of the Engineer and awareness training on the spread of HIV-AIDS diseases was conducted;

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- **item 101** [May and June 2021] – *Training of Contractor's staff in the implementation of the EMP.*

In the indicated reporting period, the Contractor did not conduct training for the Contractor's staff on the implementation of the EMP. Following the Engineer's reminders, the Contractor conducted a training session on 30 July 2021 on the terms and conditions of the EMP and submitted a note from the training.

- **item 102** [May 2021] – *Appointment of an EMP coordinator to the Contractor's team.*

During the indicated reporting period, the Contractor did not have a designated person in their team to coordinate and supervise the activities related to the implementation of measures resulting from the EMP. The Engineer took corrective action and conducted monitoring of the correctness of the implementation of the measure at meetings on the implementation of the measures resulting from the EMP. As part of the corrective action, the Contractor submitted the EMP coordinator in early June 2021.

- **item 103** [May – July 2021] – *Provision of an environmental supervision team.*

During the reporting period indicated, the Contractor did not comply with the condition of providing a full list of members of the environmental supervision team. The Engineer took corrective action by monitoring the correctness of the implementation of the measure at meetings on the implementation of the measures resulting from the EMP. As part of the corrective action, the Contractor submitted the full list of members of the environmental supervision team in early August 2021 and, in the same reporting month, the members of the Contractor's environmental supervision team were accepted by the Engineer.

- **item 105** [May – July 2021] – *Provision of a sapper supervision team.*

During the reporting period indicated, the Contractor did not submit a report to the Engineer on the members of the sapper supervision team and therefore did not obtain approval for the members of the sapper supervision team personnel. The Engineer took corrective action by monitoring the correctness of the implementation of the measure at meetings on the implementation of the measures resulting from the EMP. As part of the corrective action, the Contractor submitted the list of members of the sapper supervision team in August 2021 and received approval from the Engineer in the same reporting month.

- **item 111** [May – August 2021] – *Prevention of sexual harassment and mobbing. The Contractor must ensure such conditions during execution of the Contract as to prevent any case of mobbing or sexual harassment of their personnel, Subcontractors and other persons (whether or not involved in the execution of the Contract).*

During the reporting period indicated, the Contractor did not undertake any activities in this regard, due to the lack of staff on site. They did not carry out this measure, and thus did not submit a book of complaints and requests for the Engineer's review. Following the Engineer's reminders as part of the corrective action, the Contractor produced a complaint form and book in September 2021 and provided information on where they are available. The Contractor submitted a monthly report on the opening of the complaints and requests box. Thus, the Contractor was deemed to have fulfilled the obligation to provide conditions during the execution of the Contract.

- **item 112** [May – August 2021] – *Raising awareness about the prevention of sexual harassment and mobbing. The Contractor, through an approved service provider holding relevant qualifications, shall conduct training courses and implement a scheme raising awareness about the prevention of sexual harassment and mobbing. These measures shall be implemented throughout the term of the Contract, including the Defects Notification Period, at least every other month. They shall take the form of informational, educational, and awareness-raising campaigns.*

During the reporting period indicated, the Contractor did not carry out training on preventing sexual harassment and mobbing and did not submit documentation of training and awareness-raising programme on this issue, therefore, the measure was considered not implemented. The Engineer took corrective action by monitoring the correctness of the implementation of the measure at meetings on the implementation of the measures resulting from the EMP. As part of corrective actions, the Contractor conducted training at later dates, starting in September 2021, providing training for the entire staff as a result.

- **item 113** [July – August 2021] – *Reporting sexual harassment and mobbing. The Contractor must immediately notify the Consultant of any reported or suspected case of sexual harassment and mobbing. All reported and suspected cases of sexual harassment and mobbing shall be entered into the Book of Complaints*

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and Requests kept by the Contractor. If any case of mobbing or sexual harassment is found, the Contractor must take measures to immediately terminate such behaviours and draw all legal consequences against the offenders. The Contractor must also provide any necessary assistance and support to the victims.

The Contractor did not submit a book of complaints and requests in this regard for verification during the reporting period indicated, and the measure was therefore deemed not to have been implemented. Following the Engineer's reminders as part of the corrective action, the Contractor prepared a book of complaints and requests and an information leaflet the following month, September 2021, for which they obtained the Engineer's approval. In doing so, they provided an avenue for complaints and requests to be made by employees working on the Contract. The Contractor submitted a monthly report on the opening of the complaints and requests box.

- item 114 [May – July 2021] – *Allowing the submission of complaints and requests by personnel involved in the Task. The Contractor shall inform all persons employed on the construction site about the possibility of lodging complaints about working and pay conditions and shall provide an information leaflet with the necessary information on lodging complaints and requests, assuring that there are no repercussions for the person lodging the problem. The Contractor shall keep a Book of Complaints and Requests The contents of the leaflet and the format of the Book shall be agreed with the Consultant.*

The Contractor did not, during the period indicated, submit either the content of the leaflet or the format of the book of complaints and requests to the Engineer for agreement, nor did they include any document in May 2021 showing that it had provided such a facility to the employed staff. As a result, the measure was not implemented in accordance with the terms and conditions of the EMP. In July 2021 the Contractor submitted a prepared information leaflet and a list of complaints and requests to the Engineer, but it was not until the documents were agreed by the Engineer in August 2021 that it was possible to consider that corrective action had been effectively implemented, and the measure was being implemented from August 2021 onwards.

Measures identified as not implemented [PI] for the period May 2021 – April 2023 [measures presented in the order assigned to the individual items in the EMP]:

- item 1 (May 2021, August-September 2022, and March – April 2023) – *EMP conditions regarding the deadlines for carrying out the works. When determining the schedules of works and at the stage of carrying them out, the Contractor shall take into account the EMP conditions regarding the dates and time of carrying out the different types of works.*

In May 2021, the measure could not be considered to have been implemented correctly because, despite the submission of a Schedule of Works (SW) by the Contractor, the document did not include all the conditions under the EMP for measures to be carried out prior to or at the initial stage of the works, including, but not limited to, inventory and felling activities or humus removal, and was therefore not in accordance with the EMP. The Engineer, in taking corrective action, made comments on the submitted SW and also held a meeting with the Contractor to discuss the comments made on the Schedule by the Engineer. After the Contractor submitted a revised baseline SW on 29 June 2021, the Engineer approved the submitted document.

During August-September 2022, due to the failure to proceed with the dredging works planned in accordance with the SW, the measure was also not implemented in full compliance. The Engineer sent correspondence to the Contractor regarding milestone KM4 for the completion of the hydrotechnical works, including dredging. The Contractor submitted weekly Schedules of Planned and Completed Works to the Engineer as part of the corrective action, and on 27 October 2022 submitted a Schedule of Works to the Engineer for Annex No. 2 to the Construction Contract.

The measure was not carried out in full compliance with the EMP also in the period March-April 2023, as the Contractor carried out the hydrotechnical works and those related to sediment relocation on a date inconsistent with the EMP, i.e., outside the permitted timeframe for works in the riverbed – item 1(a) of

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Appendix 1 to the EMP. The Engineer took corrective action by calling for clarification. The Contractor did not respond to the Engineer's correspondence.

- **item 2** (May 2021 and March 2023) – *EMP conditions regarding the measures to be implemented prior to the commencement or at the initial stage of the works. When determining the schedules of works and at the stage of carrying them out, the Contractor shall take into account the EMP conditions regarding the measures to be implemented prior to the commencement or at the initial stage of the works.*

The Schedule of Works submitted by the Contractor in May 2021 did not take into account all the conditions under the EMP relating to measures to be carried out prior to the commencement or at the initial stage of the works, including, but not limited to, inventory and felling activities or humus removal, therefore the Schedule was not accepted by the Engineer and the measure could not be considered to be carried out in full compliance with the EMP. Corrective action was taken by making comments on the document and discussing them at a meeting with the Contractor, resulting in the Contractor submitting a revised Schedule for this measure.

In March 2023, the measure was considered to be in partial compliance with the EMP due to the fact that the Contractor had not completed the Contract by the agreed deadline. The Contractor did not submit a revision of the Schedule after signing Annex No. 4 to the Contract and did not respond to the Engineer's letters. Approximately one week after signing Annex No. 4, i.e., on 23 February 2023, the Contractor reported readiness for the final acceptance and the completion of the works. In view of this, there was no need or substantive justification for calling on the Contractor to submit a revision of the Schedule. However, the Chairman of the Acceptance Committee did not confirm the Contractor's readiness for acceptance due to uncompleted dredging works and called on the Contractor to urgently complete the works and clarify. The Contractor continued the works until early April 2023, and on 07 April 23 again reported readiness for acceptance, which was confirmed by the signing of the Final Acceptance Protocol on 20 April 2023.

- **item 5** (October 2021) – *The Contractor shall agree with the Road Administration Authorities on the traffic arrangement and site security plan. The Contractor shall arrange the traffic according to the agreed plan (which includes the signage and protection of the works, the signage of any divergence and the recommended road signage due to any modification of traffic arrangement, etc.),*

Implementation in partial compliance in October 2021 was due to the lack of road markings, as per the Traffic Arrangement Plan. In November 2021 the Engineer did not comment on the Traffic Arrangement Plan and the Contractor marked the access roads in accordance with the agreed document.

- **item 6** (March and April 2022) – *Conditions for the use of access roads to the Task site. Prior to the commencement of the works, the Contractor shall submit to the Engineer for approval the traffic arrangement and site security plan agreed with the road administration authorities and the traffic management body. The traffic arrangement and site security plan should be updated by the Contractor depending on the needs and progress of the works.*

In March 2022, additional signage related to the 30 km/h speed limit was introduced on ul. Karpia between the level crossing and ul. Nikłowa, in accordance with a letter from the Mayor of Szczecin. In March and April 2022 the Contractor did not submit the agreement of the updated Traffic Arrangement Plan with the Road Managers and the traffic management body and therefore the measure was implemented in partial compliance with the EMP. The Engineer called on the Contractor to require an update to the TAP. As a result of the action taken in May 2022, the measure was carried out in accordance with the EMP as the Contractor submitted an update of the TAP with the elements introduced by the Mayor of Szczecin.

- **item 7** (March 2022) – *Conditions for the use of access roads to the Task site. The Contractor shall ensure the proper signage for all access roads to the Task area, in accordance with the applicable law and arrangements with the relevant Road Administration Authorities. The Contractor shall check the signage on a regular basis and restore or replace it immediately in the event of destruction or theft.*

In March 2022, additional signage related to the 30 km/h speed limit was introduced on ul. Karpia between the level crossing and ul. Nikłowa, in accordance with a letter from the Mayor of Szczecin, however, agreement of the updated Traffic Arrangement Plan with the Road Authority and the traffic management

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body was not submitted, so the measure was implemented in partial compliance with the TMP. The Engineer called on the Contractor to rectify the failures in this respect. As a result of the action taken in April 2022, the measure was being implemented in accordance with the EMP. The state of the signage and compliance with the temporary traffic arrangement plan was correct.

- **item 8** (November 2021) – *The Contractor shall maintain the paved areas in the area of the Task implementation, within which the vehicles traffic will travel, in good condition.*

In November 2021, the measure was not carried out in compliance with the EMP because during the Engineer's inspection of the access road to the construction site (ul. Karpia) within the level crossing, progressive degradation of the pavement at the crossing was noted. The Engineer urged the Contractor to keep monitoring the access roads and repair the damage on an ongoing basis. The Contractor repaired all damage found.

- **item 13** (August 2021) – *Conditions for the use of access roads to the Task site. The use of access roads running to the Task site is subject to the following requirements: Prior to the commencement of the works, the Contractor shall carry out on-site inspections in the presence of the Road Administration Authorities, as a result of which the reports on the condition of access roads to the Task execution area will be prepared. On this basis, the Contractor will be obliged to restore the technical condition of roads from before the Task implementation period.*

The Contractor informed the Road Managers and submitted documentation to the Engineer prior to commencing the road inventory, but as site visits in the presence of the Road Managers in August 2021 did not take place, the measure was considered to have been carried out in partial compliance with the EMP. A site visit took place the following month, September 2021, and the measure was being implemented correctly.

- **item 14** (November 2021 and January 2022) – *Obligation to provide site facilities, roads, material storage areas, and parking spaces.*

In November 2021 the Contractor proceeded with the construction of site facilities and parking spaces in accordance with the Construction Site Organisation Plan, but did not complete the measure. Until the foundation works for the facilities were completed in accordance with the requirements of the EMP, i.e., until December 2021, the measure was considered partially completed. In January 2022 the Contractor did not construct machinery parking areas on a paved surface. Following the monitoring undertaken by the Engineer, the Contractor took corrective action and in February 2022 the Contractor did have the machinery parking area seated on a paved surface.

- **item 17** (November and December 2021) – *Management of soil from the construction site. Soil located on the construction site should be used primarily on the construction site. The remaining excess soil should be managed in accordance with applicable regulations and design documentation. The method of waste soil management should be presented in the Waste Management Plan prepared by the Contractor and submitted for the Engineer's approval prior to the works (item 73).*

The Contractor removed the humus layer, which they then stockpiled. Humus samples were taken for laboratory testing. Due to the lack of test results for humus and thus the method of its management, the measure was marked as partially implemented. The Engineer took corrective action by indicating to the Contractor the steps necessary to be taken with regard to the handling of the topsoil (humus) resulting from the EMP and has indicated the need to obtain the opinion of a botanist/phytosociologist from the environmental supervision team. As a result of the measures taken in January 2022 the Contractor carried out earthworks related to soil replacement, and earth masses unsuitable for on-site management were handed over to the relevant parties in accordance with the regulations.

- **item 19a** (February 2023) – *Management of dredged material consisting of uncontaminated sediment displaced within surface waters.*

The Contractor carried out sediment relocation works, i.e., backfilling a breach in the bed of the West Odra, without the use of suspension curtains. The Engineer took corrective action through email correspondence, letters to the Contractor, and monitoring of the correct implementation of the measure at meetings on the

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implementation of the measures resulting from the EMP. The Contractor carried out the work under the supervision of an ichthyologist from the Contractor's environmental supervision and carried out monitoring of suspension and oxygen concentrations. According to an ichthyologist from the Contractor's environmental supervision, there were no cases of exceeding the designated concentrations of suspended solids or oxygen that would require the works to be stopped in accordance with the EMP. In the opinion of the ichthyologist, oxygen concentration levels were not of concern and exceeded the requirements for the most environmentally demanding species. Suspension concentrations assessed based on the Canadian Department of Fisheries and Oceans (DFO, 2000) criteria at low risk to ichthyofauna.- **item 20** (November 2021, January 2022, and September 2022) – *Sediment quality tests before the commencement of dredging works.* The Contractor, in accordance with this measure, carried out a sediment quality study prior to the dredging works, but in November 2021 the measure was considered to be partially implemented due to the lack of test results as well as the lack of sampling of the Regalica riverbed for testing (only from the berthing pool). The Engineer took corrective action by calling on the Contractor for clarification, as well as indicating a different method of dredging in the absence of sampling due to the rocky bottom. As a result of the activities undertaken, in early December 2021 the Contractor sampled the entire area of the planned dredging works, i.e., the Regalica riverbed. In January 2022, the measure was also considered to be in partial compliance, despite the Contractor having carried out excavation tests, but not in accordance with the applicable regulations. In taking corrective action, the Engineer called on the Contractor to correct the deficiency and perform the sampling in accordance with the Regulation of the Minister of the Environment regarding the sampling methodology used. In the following month – February 2022 – the Contractor performed the sampling correctly. The measure was resumed in September 2022 due to the environmental disaster on the Odra and the need to determine the quality status of the spoil planned for deposition in the Mańków spoil storage area. The Contractor commissioned an accredited laboratory to re-sample and test the quality of spoil in order to verify the quality of the spoil, but failed to notify the Engineer of the planned sampling for testing and its timing, thereby preventing participation and the supervision of the sampling, as well as acceptance of the sampling locations, which was inconsistent with this measure. Due to the prior intake, it was not possible to take corrective action, but the Contractor was advised to inform the Engineer of the planned measures each time to allow the Engineer to supervise the measure.

- **item 33** (August and September 2021) – *One-off wildlife inventory of the Task site before the commencement of works. Before the preparatory works, consisting in clearing the area, the environmental supervision team referred to in item 103 will carry out a one-off wildlife inventory of the Task area. In particular, trees and shrubs to be removed and the riverside strip shall be inspected. In the event of the presence of habitats and species of fauna and flora subject to protection, for which it will be necessary to violate the bans set out in applicable regulations, it is necessary to obtain decisions allowing for derogations from the principles of species protection of plants, fungi and animals referred to in items 35-38.*

In August and September 2021, the Contractor's environmental supervision carried out an inventory of the site but had not yet obtained decisions authorising derogations from the prohibitions applicable to protected plant species, which was done in the subsequent period, and this measure was completed in October 2021.

- **item 34** (September 2022) – *Ongoing inspections conducted by the environmental supervision team during the Task implementation period.*

Monitoring of the measure revealed that a dendrologist from the Contractor's environmental supervision, who should control the conduct of works in the TPZ, was not present in September during the work within the area of the tree left on site and the designated Tree Protection Zone (TPZ). The Engineer took corrective action and indicated to the Contractor that a dendrologist from the Contractor's environmental supervision team should supervise the works. The Contractor provided a dendrologist to supervise the works within the TPZ during the remainder of the Contract.

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- **item 35** (September and October 2021) – *Obtain a decision authorising derogations from the rules on the protection of species of plants, fungi, and animals. The Contractor shall obtain and submit for the Engineer's approval a written opinion of the environmental supervision team (referred to in item 103), including the determination of the need to obtain the decision referred to in item b), and then, if necessary in the light of the above-mentioned opinion, implement measures referred to in items b-d (below).*

Following receipt from the Contractor of the reports of the one-off site inventory undertaken in August 2021, the Engineer reviewed the records and recommendations arising therefrom and provided the Contractor with the Engineer's and Employer's comments on the reports. The supervision reports did not receive full approval, so the measure was being implemented in partial compliance. The Contractor corrected the inventory reports, adding the missing information as part of the corrective action.

- **item 36** (October and November 2021) – *Before taking any measures that may lead to the destruction of habitats and sites of protected species or disturbing protected species (in accordance with the opinion referred to in item a), the Contractor shall obtain the administrative decisions required by law allowing for derogations from the bans applicable to protected species of plants, fungi, and animals.*

The Contractor, having carried out an inventory of the site prior to the commencement of works and having completed the inspection reports, applied to the RDOŚ in Szczecin with the relevant applications for a decision on derogations from the prohibitions applicable to protected flora and fauna species. The Contractor prepared and submitted applications for derogation decisions to the competent authorities and until a decision is obtained, the measure had a partial implementation status. In December 2021, the relevant administrative decisions were obtained.

- **item 40** (June 2021) – *Permissible date for carrying out silting works at the "Mańków" discharge area. The Contractor shall include in the schedules of works the prohibition of carrying out silting works in the "Mańków" area in the period from 1 January to 30 June and shall carry out works taking this prohibition into account (see Appendix 7 to the EMP).*

In June 2021 the measure in question was not implemented in accordance with the provisions of the EMP, as in the SW the date for the planned transport of dredged material to the discharge area was indicated as 07 December 2021 – 14 February 2022. The indicated date was partly inconsistent with the provisions of the EMP, therefore the Engineer recommended at the next SW update to change the date of transferring spoil to the discharge area to fit the date indicated in this measure, and the Contractor did so.

- **item 42** (December 2021 and January and March 2022) – *Works should be carried out in such a way as to avoid killing animals. The area of the Task, in particular the place of the currently conducted works, site facilities, material storage places, etc., should be protected against the entry of small animals (amphibians, reptiles, small mammals), by fencing these areas with a mesh, with loops of no more than 0.5 x 0.5 cm and a height of no less than 0.5 m or other material allowing to achieve the same goal. This net should be buried in the ground to a depth of not less than 15 cm.*

During the reporting period indicated, despite the absence of amphibians and reptiles and small mammals on site, the Contractor purchased the materials necessary for the foundation of the herpetological fence and proceeded with its installation. However, due to poor weather conditions and frozen ground, the Contractor was unable to carry out the installation work. The Contractor took corrective action and erected a small animal fence around the perimeter of the site at the earliest possible date following a change in weather conditions. In January 2022, due to ongoing work to seal the entrance gate area with a herpetological fence, the measure was considered to be partially implemented. In February 2022, the measure was implemented correctly. In March 2022, localised damage and leaks to the herpetological fence were identified again, and following recommendations from the herpetologist, the necessary repairs to the fence integrity were made.

- **item 49** (October 2021) – *Environmental supervision before and during the demolition of buildings (including gazebos, sheds, garages).*

According to this measure, the demolition of buildings should be preceded by an inspection by a chiropterologist for the presence of protected bat species, no more than 1 week before the demolition of the structure in question. As not all sites were under the control of a chiropterologist, the measure was not

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implemented in full compliance with the EMP. Due to the collapse of the structures, there was no possibility of taking corrective action.

- **item 52** (January 2023) – *Cleaning the area after the completion of the works, restoring the humus layer and construction of areas of cultivated greenery. Within the scope of the Task implementation area, restore the fertile layer of soil (including the use of humus collected from the works site in accordance with the conditions in items 23-28) in accordance with the zoning plan – cultivated greenery.*

In January 2023, due to the stage of the works at that time, no green space restoration activities were carried out. The Contractor restored the humus layer where they had completed the work and cleaned up the site. In the remaining area, where cleaning or levelling work was in progress, the restoration of the green areas continued successively. The measure was implemented in partial compliance due to the partial restoration of the green areas resulting from the stage of the works being carried out, therefore no corrective action was required.

- **item 53** (December 2022 and January 2023) – *Cleaning the area after the completion of the works, restoring the humus layer and construction of areas of cultivated greenery. Perform actions supporting the restoration of green areas (including sowing grass) in accordance with the zoning plan.*

In December 2022 and January 2023 the Contractor proceeded to carry out the measure and carried out partial grass sowing in areas with levelled humus. Partial implementation of the measure resulted from the restoration phase of the green space work and therefore no corrective action was required.

- **item 55** (November – December 2022 and January – March 2023) – *Cleaning the area after the completion of the works, restoring the humus layer and construction of areas of cultivated greenery. Measures described in items b, c and d (above) will be implemented by the Contractor under the supervision of an expert botanist-phytosociologist (referred to in item 103), including: agreeing on the exact dates of works; agreeing on the exact location of humus utilisation sites; agreeing on the species composition of grass mixtures; agreeing on the principles of maintenance of the designed green areas; submitting the results of the above for the Engineer's approval; supervision of the performance of the treatments supporting the restoration of green areas and supervision of the maintenance of these areas (until the end of the Defect Notification Period).*

In November and December 2022, due to the stage of work at that time, the Contractor proceeded with some of the measures listed in this item. In January and February 2023, in addition, partial implementation was due to a lack of agreement on the principles of green space maintenance. In March 2023, the green space restoration work was completed, but there was still no agreement from the Contractor's environmental supervision botanist on the principles of green space maintenance. In April 2023 the Contractor, as part of the corrective actions undertaken, following the Engineer's reminders, submitted a plan of maintenance work agreed by a botanist and received the Engineer's approval.

- **item 58** (December 2021, January 2022 and July – September 2022) - *Conditions for the location of material storage areas and parking spaces for machines working on the implementation of the investment. Material storage areas and parking spaces for construction machinery should be located on a leakproof surface, using technology to prevent contaminants from entering the ground or water. General conditions for choosing the location of site facilities and storage areas for materials and machine parking spaces are indicated in items 14-16.*

The measure was implemented partly due to the lack of sealed pavement for the machinery parking spaces (December 2021 and January 2022). As part of the corrective action, following the Engineer's reminders, in February 2022 the Contractor implemented the measure correctly.

In July 2022, PI status was granted due to the take of a parking space for machinery working on the site for the purpose of depositing materials brought to the construction site, i.e., the misuse of machinery parking spaces, which continued until September 2022.

- **item 65** (January 2022 and March 2022) – *Environmentally safe storage of materials and raw materials. Materials and substances intended for use in the implementation phase should be stored only in appropriate containers, in dedicated places, in an environmentally safe manner*

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In January 2022 the measure was implemented in partial compliance with this measure as improper storage of materials, i.e., chemicals, was found. Corrective action was taken by calling on the Contractor to rectify the failure and the following month the measure was being implemented in compliance with the EMP. In March 2022, a failure was again identified in relation to the improper storage of a chemical substance. Following the Engineer's reminders, the Contractor introduced corrective action and implemented the measure correctly.

- **item 70** (January 2022 and February 2022) – *Reducing dust from the construction site and roads. During the execution of the Task, the effects of secondary dust should be limited, in particular by: limiting the traffic and speed of vehicles travelling on the site; systematically tidying up the construction site and site facilities; spraying dusty road surfaces; using airtight tarpaulins on vehicles transporting materials that may cause dust during transport; cleaning the wheels of vehicles before entering the access roads to the Task area.*

In January and February 2022 the measure was not implemented in full compliance with the EMP due to speeding by the Earthworks Subcontractor on the access roads to the site and the lack of regular and effective cleaning of the access roads. The Engineer took corrective action by raising this issue at EMP meetings. The Contractor, in connection with the corrective action taken in subsequent periods, implemented the measure correctly. The Contractor carried out clean-up activities. Measures were implemented, i.e., signs limiting the speed limit to 30 km/h were installed, while at the same time all drivers were informed of their obligation to comply with the speed limit under threat of a financial penalty.

- **item 71** (November – December 2021 and January – February 2022) – *Maintaining clean roads.*

During November – December 2021, no sweeper was found on site as the basic equipment required to properly remove debris from the roads, therefore it was considered that the measure was not being carried out in full compliance with the EMP. In January 2022 and February 2022, partial implementation was given due to insufficient frequency of street cleaning. Following the Engineer's finding that the access road to the site was still significantly muddy, the corrective action resulted in a recommendation for systematic daily road cleaning, as well as an increase in the frequency of road cleaning. As a result of the measures taken, a sweeper cleaned the access roads twice a day in March 2022 and a worker was appointed to be responsible for cleaning the surface of Karpia street.

- **item 72** (December 2021 and January 2022) – *Paving the site facilities and temporary roads. The construction site facilities, as well as all technological roads and other places on which vehicles, machines, and equipment will travel, should be paved and sealed in technology appropriate for the equipment used. The technology used is subject to approval as part of the approval of the Site Arrangement Plan.*

In December 2021, the implementation of the measure in partial compliance with the EMP was due to the lack of paving of the site facilities area and temporary roads. The Engineer took corrective action and monitored the correct implementation of the measure, including at the monthly meeting on the implementation of the measures resulting from the EMP. In January 2022 the Contractor carried out earthworks and soil replacement which prevented the temporary roads from being paved, but once this was completed in the following period the Contractor took corrective action, carried out the necessary paving and the measure was being implemented correctly.

- **item 73** (May – July 2021) – *Preparation of a Waste Management Plan (WMP). Prior to the commencement of works, the Contractor shall prepare a Waste Management Plan, including demolition waste, and obtain the Engineer's approval for it. (see chapter 6.14 of the EMP).*

During the indicated period, the Contractor carried out activities related to the development of the documents required by the EMP – Waste Management Plan (WMP). Due to the on-going procedure for agreement and approval of the document, the measure was marked as partially implemented until its completion. The Engineer took corrective action by commenting on the submitted document and the Contractor, carrying out actions and eliminating failures, submitted a revised WMP, which was approved by the Engineer. In subsequent reporting periods, the measure was being implemented correctly.

- **item 74** (October 2021, January 2022, August 2022 and October – December 2022) – *Rules for handling waste.*

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In October 2021, a failure in the implementation of the measure was identified due to the lack of proper sorting of waste, qualified as "Concrete" with the code 17 01 01. The Contractor left plastics, glass, metal packaging etc. in the mass of the above waste. As a corrective action, this issue was discussed at the Construction Council Meeting and it was recommended that proper waste segregation be carried out. Until July 2022, the measure was being implemented properly. In August 2022, the failure and partial implementation was due to overflowing waste bins, as well as a lack of order and tidiness on the site (scattered and lingering waste and construction material items). A recommendation was made to the Contractor to implement corrective actions and carry out proper waste management. The following month saw proper waste management. A further failure with regard to waste management and thus the implementation of the measure in partial compliance with the provisions of the EMP was found during the Engineer's inspections, including health and safety inspections at the construction site in October-December 2022. The inspections revealed partial mixing of waste and therefore incorrect sorting and overflowing waste containers. Taking corrective action, the Engineer's OHS Supervision recommended that the site be brought into order immediately. The Contractor took corrective action and implemented the measure correctly in subsequent periods.

- **item 75** (October 2021) – *Rules for handling hazardous waste. Hazardous waste should be sorted and stored separately in designated sealed containers placed on a paved, marked area protected against access by third parties until it is handed over to entities authorised to further manage it.*

In October 2021, a failure in the implementation of the measure was identified due to the lack of proper security of the hazardous waste storage area through the use of makeshift doors to the building to be demolished, where the aforementioned waste was stored, but also due to the lack of sealed containers for its storage. Taking corrective action, the Engineer brought this issue to the Contractor's attention at the Construction Council Meeting, which resulted in the Contractor transferring waste to an authorised recipient in October 2021 on the basis of a Waste Transfer Note.

- **item 79** (December 2022 and January 2023) - *Prevention of illegal waste deposits. Prior to the commencement of the works, the Contractor shall identify the area of the Task for the presence of illegal waste deposits. During the Task execution period, the Contractor shall protect the Task execution area against their possible creation.*

Due to the open unattended entrance gate in December 2022 and in January 2023, the lack of full fencing of the construction site (an overturned fence) and thus insufficient protection of the construction site against unauthorised access and possible deposition of waste, the measure was considered to be in partial compliance. It was recommended that the Contractor rectify the failure. The Contractor rectified the failures and implemented the measure correctly in the remaining reporting periods.

- **item 80** (May 2021) – *Preparation of documents related to safety in the area of Task implementation. occupational health and safety plan (OHS Plan) – see chapter 6.14 of the EMP.*

The measure was only in partial compliance with the EMP in May 2021. The Contractor carried out activities related to the preparation of documents required by the EMP – Occupational Health and Safety Plan (OHS Plan). Due to the on-going procedure for agreement and approval of the document, the measure was marked as partially implemented until the approval was granted. The Engineer submitted comments after reviewing the OHS Plan and the Contractor, as part of the corrective action taken, submitted a revised OHS Plan in June 2021 and obtained approval for the document. In the following months, the measure was being implemented in full compliance.

- **item 82** (May – August 2021) – *Preparation of documents related to safety in the area of Task implementation. The Contractor shall prepare and submit to the Engineer for approval a document entitled: Implementation plan and strategy for managing environmental, social, health and safety risks: which includes, among others, elements such as: description of measures taken to manage risks, description of materials and equipment used, description of management processes, etc., which will be carried out by the Contractor and their subcontractors to minimise risks. At the request of the Engineer, the Contractor shall update the Implementation plan and the strategy for managing environmental, social, health and safety risks.*

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The Contractor conducted activities related to the preparation of documents required by the EMP – Implementation Plan and Strategy for Managing Environmental, Social, Health and Safety Risks. The Engineer submitted comments to the C-EMSP Procedure, but the C-EMSP Procedure could not be submitted during the indicated period due to the lack of required personnel. During the reporting period indicated, the Contractor did not obtain the approval of the Engineer in this respect, so the measure was defined as being implemented in partial compliance. After obtaining the Engineer's approval for the members of the environmental supervision team as part of the corrective action taken, the Contractor corrected the C-EMSP and obtained approval for the document, so as of September 2021 the measure was being implemented correctly.

-item 83 (October 2021, March 2022, June 2022, December 2022, and January 2023) – *Site fencing. Prior to commencing construction works, the Contractor shall fence off the area. The height of the fence should be at least 1.5 m. If fencing off the construction site or works area is not possible, the boundaries of the area should be marked with warning signs and, if necessary, constant supervision should be ensured. The Contractor shall control the condition of the fence and warning signs and shall make the necessary repairs.*

In October 2021 the Contractor had physical security at the site entrance from Karpia Street (permanent site supervision), securing the site entrance from the aforementioned street and marking the existing temporary fencing by placing warning signs, however the temporary fencing along the railway tracks was not continuous. After the Contractor was urged to secure the construction site, corrective action was taken and in November 2021, the site of the construction area was secured by the Contractor with a target, permanent fence and 24-hour security. The construction site was marked in accordance with current regulations and the entrance gate was regularly closed.

In March and June 2022, a failure and thus partial implementation of the measure was found to be due to the failure to close the entrance gate to the construction site and thus insufficient security of the construction site against access by members of the public. A recommendation was made to enforce that staff lock the entrance gate on a daily basis. By December 2022 the Contractor complied with the recommendation made and took corrective action to regularly close the gate.

In December 2022, due to an open unattended entrance gate and in January 2023, the lack of complete fencing of the construction site (overturned fence) and thus insufficient protection of the construction site against unauthorised access, the measure was considered to be in partial compliance. It was recommended that the Contractor rectify the failure. The Contractor rectified the failure and implemented the measure correctly in the remaining reporting periods.

- item 85 (May 2021) – *Documentation and monitoring of the technical condition of buildings exposed to oscillation and vibrations. Before starting any works that may pose a vibration-related hazard to local residents, buildings, and infrastructure, the Contractor shall carry out an inventory of the existing buildings and facilities, with a particular focus on any cracks and damage, with a preliminary breakdown of such damage into surface damage (cracks in plaster, tiles, etc.) and structural damage (cracks in lintels, bearing walls, ceilings, etc.), with the use of feeler gauges, if necessary. During the performance of the above-mentioned works, the Contractor will monitor the condition of these buildings and facilities on an ongoing basis. The spatial scope of the inventory shall be determined by the Contractor with the Engineer.*

In May 2021 the Contractor informed the Engineer, building owners, and Road Managers that they planned to undertake an inventory of roads and buildings, but did not carry out the inventory in May 2021, so the measure was carried out in partial compliance with the EMP. The Contractor took corrective action the following month (early June 2021) by carrying out an inventory of buildings and roads potentially exposed to vibrations and oscillations that may occur during construction works. The Contractor implemented the measure correctly in the other reporting periods.

- item 86 (March – December 2022 and January – March 2023) – *Implementation of guidelines for occupational safety requirements. The Contractor shall ensure that the detailed guidelines for the safety requirements of the work are implemented.*

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During the periods indicated, occupational health and safety failures were identified during the Engineer's OHS inspections, hence in those months where the inspections showed failures the measure was not implemented in full compliance. On each occasion, OHS Inspection protocols containing recommendations and recommendations to remedy failures were drawn up and forwarded to the Contractor with the order to confirm in writing that the recommendations made had been implemented. The Contractor implemented corrective actions, which they informed the Engineer of in writing. In the other months, the measure was being implemented correctly.

- **item 87** (October 2021) – *Ensuring conditions of hygiene. Watertight sanitary facilities (e.g., in the form of the necessary number of portable toilets) must be provided in the Task area and used by employees.*

The Contractor did not equip the construction site with the target number of sealed toilets in October 2021, so the measure was considered to be partially implemented. By November 2021, the site was already equipped with sanitary facilities and a sealed tank.

- **item 89** (July – August 2021, December 2021, January – February 2022, July-August 2022) – *Prevention of HIV-AIDS. The Contractor, through an approved service provider, shall implement an awareness-raising programme on the spread of HIV-AIDS (including appropriate training) and shall take all other measures to reduce the risk of transmission of HIV to the Contractor's personnel and to the local community. These measures should be implemented in accordance with the detailed conditions set out in the Contract Bidding Documents (Part 3, Section VIII – General Conditions, clause 6.7).*

In July 2021 the Contractor did not implement the measure properly as they did not conduct staff awareness training on the spread of HIV-AIDS, but they did take other measures to reduce the risk of HIV transmission among staff, i.e., equipped the office with means of protection against HIV-AIDS – purchased means to reduce the risk of transmission among staff and the community. Despite the Contractor's declaration that the aforementioned training had been carried out in August 2021, the measure still could not be considered to have been carried out in full compliance, as the Contractor had not submitted any documents confirming the training. As a result of the training, staff employed by the Contractor were trained in September 2021. Again, the measure was not implemented in full compliance in December 2021 and July-August 2022, due to the lack of renewed training in this area. In the other months, the measure was being implemented properly and the Contractor's staff was trained in HIV-AIDS prevention.

- **item 90** (May – June 2021) - *Flood risk management rules. In connection with the risk of flooding, the Contractor shall prepare a document entitled: Site Flood Protection Plan, and secure the Engineer's approval (see chapter 6.14 of the EMP). In the event of flood, the Contractor shall follow the procedures set out in that document.*

In May and June 2021 the Contractor carried out activities related to the preparation of documents required by the EMP – Flood Protection Plan (FPP). Due to the ongoing procedure of agreeing the document and obtaining the Engineer's approval, the item was marked as partially implemented. The Engineer submitted comments after reviewing the FPP and the Contractor, as part of the corrective action taken, submitted a revised FPP in June 2021 and obtained approval for the document. In the following months, the measure was being implemented in full compliance.

- **item 91** (May 2021) – *Rules of reporting emergency situations.*

The Contractor carried out the activities related to the preparation of documents required by the EMP – the OHS Plan. Due to the on-going OHS Plan agreement and approval procedure, the item was marked as partially implemented. The Engineer submitted comments after reviewing the OHS Plan and the Contractor, as part of the corrective action taken, submitted a revised OHS Plan in June 2021 and obtained approval for the document. In the following months, the measure was being implemented in full compliance.

- **item 93** (May – June 2021) – *Principles of conduct in connection with the spillage of petroleum derivatives. In connection with the risk of spillage of petroleum derivatives, the Contractor shall prepare the so-called spillage prevention procedure and obtain the Engineer's approval for it. In the event of such spillage, the Contractor shall follow the procedures set out in the document,*

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During the period indicated, the Contractor carried out activities related to the preparation of documents required by the EMP – Spillage Prevention Procedure. Due to the on-going document approval procedure, the item was marked as being implemented in partial compliance with the EMP. The Engineer submitted comments after reviewing the Spillage Prevention Procedure and the Contractor, as part of the corrective action taken, submitted a revised Spillage Prevention Procedure in June 2021 and obtained approval. In the following months, the measure was being implemented in full compliance.

- **item 97** (November – December 2021) – *Waterway safety guidelines / prevention of shipping accidents. Prior to the works, a dredging works plan must be prepared and approved by the Director of the Inland Waterways Authority in Szczecin, the Director of the Maritime Office in Szczecin (in the case of using marine waters) and the competent waterway administration body.*

The Contractor carried out activities related to the preparation of documents required by the EMP – Dredging Works Plan. Due to the ongoing procedure for agreeing and accepting the Dredging Works Plan, the measure was marked as partially implemented until it was accepted and agreed with the relevant administration. The document was accepted in January 2022 and was agreed with the competent authorities.

- **item 98** (November – December 2021 and January 2022) – *Waterway safety guidelines / prevention of shipping accidents. The work area and the waterway must be marked with signs informing about threats and restrictions in shipping in accordance with the Inland Navigation Act and local law. The method of marking and the locations of signs shall be agreed with the Director of the Inland Waterways Authority in Szczecin and the competent waterway administration body,*

During the period indicated, the measure was implemented in partial compliance with the EMP. The Contractor carried out activities related to the preparation of documents required by the EMP – Safe Navigation Plan. Due to the on-going procedure for the approval of the document, the measure was marked as partially implemented until the approval was granted. The Engineer approved the document in November 2021. In November and December 2021, due to the lack of agreement of the document with the Director of RZGW in Szczecin (request for agreement dated 03 November 2021) and the installation of the signage, the measure had the status of partial implementation. In January 2022 the Contractor purchased the signage and installed the signage before working on water.

- **item 100** (July 2021) – *Obtaining a permit from the Provincial Heritage Conservation Officer. To implement the provisions of the EMP related to the protection of cultural heritage and monuments, the Contractor shall also obtain, if necessary, under a power of attorney granted by the Employer, a permit from the Provincial Heritage Conservation Officer (PHCO) for conducting a salvage archaeological survey.*

During the period indicated, the measure was implemented in partial compliance with the EMP. In July 2021 the Contractor applied for an archaeological survey permit. It was not until August 2021 that the Zachodniopomorskie Provincial Heritage Conservation Officer issued a decision allowing archaeological survey, so partial implementation was due to waiting for the administrative decision.

- **item 102** (June 2021, October – November 2021) – *Appointment of an EMP coordinator to the Contractor's team. There shall be a person designated in Contractor's team to coordinate and monitor the measures involved in EMP implementation.*

In June 2021, the measure was in partial compliance, due to the lack of an approved Contractor's EMP coordinator. From June 2021 the Contractor was proceeding with the submission of an expert, but did not receive approval for the submitted candidacy of the EMP coordinator. The Contractor's EMP Coordinator was accepted for a trial period of 3 months in July 2021 and the measure could be assessed as being implemented correctly. During October-November 2021, despite the provision of the Contractor's EMP Coordinator, the implementation of the measure was considered partial due to failures in fulfilling the responsibilities of this function, i.e., EMP reporting. The submitted EMP reports required correction and completion. In subsequent periods, the Contractor implemented corrective actions and the quality of the reports improved significantly and the measure was being implemented correctly.

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- item **103** (September 2022) – *Provision of an Environmental Supervision team. Throughout the Task, the Contractor will ensure the participation of a team of environmental experts (environmental supervision), composed of representatives of the following specialisations: botanist-phytosociologist (natural habitats and protected plant species); dendrologist (principles of tree care and protection); zoologist-ichthyologist (fish); zoologist-herpetologist (amphibians and reptiles); zoologist-ornithologist (birds); zoologist-mammal specialist (non-flying mammals), zoologist-chiropterologist (bats).*

During the period indicated, the environmental supervision carried out site inspections, however, due to the lack of control by the Contractor's environmental supervision dendrologist during the works within the TPZ, the measure was not carried out in full compliance with the EMP. The Engineer took corrective action and indicated to the Contractor that a dendrologist from the Contractor's environmental supervision team should supervise the works. The Contractor provided a dendrologist to supervise the works within the TPZ during the remainder of the Contract.

- item **104** (September 2022) – *Tasks of the Environmental Supervision team. The task of environmental supervision will be to take appropriate protective measures in the event of finding a threat to protected species of fauna and flora as a result of construction works.*

During the period indicated, the environmental supervision carried out site inspections, however, due to the lack of control by the Contractor's environmental supervision dendrologist during the works within the TPZ, the measure was not carried out in full compliance with the EMP. The Engineer took corrective action and indicated to the Contractor that a dendrologist from the Contractor's environmental supervision team should supervise the works. The Contractor provided a dendrologist to supervise the works within the TPZ during the remainder of the Contract.

- item **106** (May – June 2021 and September – November 2021) – *Reporting the status of implementation of the EMP in monthly reports. During the execution of the Task, the Contractor shall in a timely manner submit monthly reports on the implementation of the conditions specified in the EMP to the Engineer (in the form of a checklist with necessary appendices, including reports on environmental supervision).*

In May 2021 the Contractor did not implement the measure properly as, although they submitted an EMP report, the reporting was done without appointing and approving an EMP coordinator who, according to item 102, is responsible for, among other things, reporting on the implementation of measures from the EMP. In the following months, i.e., June, September, October, and November 2021, the Contractor failed to meet the obligation to submit the report in a timely manner or the reports needed to be significantly corrected, therefore failures were identified in the implementation of the measure. However, following the Engineer's actions – reviewing the reports, commenting on the reports, monitoring the Contractor, and working meetings with the Contractor's EMP co-ordinator, in the following months the measure was being implemented correctly.

- **item 107** (May 2021) – *Discussing the implementation of the EMP at working meetings and Construction Council Meetings.*

During the reporting period indicated, despite the attendance of the Contractor's representatives at the EMP meeting and the Construction Council Meeting, the Contractor did not provide an EMP coordinator and thus did not ensure their attendance at the meetings, due to this the Engineer considered the measure to be implemented in partial compliance with the EMP. After the acceptance of the nomination of the Contractor's EMP coordinator, the measure was being implemented correctly.

- **item 108** (September – October 2021, August 2021, and December 2021) – *Reports by Contractor's team of naturalists. The Contractor's team of naturalists conducts reporting, including preparing periodic reports (monthly and quarterly reports and the final report) on the implementation of the conditions specified in the EMP (in the form of a checklist with necessary appendices, including reports on environmental supervision) submitted to the Engineer and requiring their approval.*

In September and October 2021, the Contractor's environmental supervision reports from the site inspection work needed to be supplemented or corrected/details needed to be added, therefore failures in the implementation of this measure were identified and the Engineer took corrective action by submitting

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comments on the reports. The Contractor corrected the documentation as part of corrective action. No inventory reports were submitted to the Engineer in August 2021, so the measure was in partial compliance with the EMP during this period. A further failure was found in December 2021 due to the failure to submit a mammal inspection note, which the Contractor was requested to do. In subsequent periods, the measure was being implemented correctly.

- **item 110** (May – August 2021) – *Contractor's responsibility for ESHS compliance. The Contractor shall ensure the implementation of all requirements and conditions of the ESHS and the plan referred to in item 82. This applies to the Contractor and its personnel regardless of the legal basis of cooperation, and accordingly to Subcontractors and their personnel.*

During the indicated period, the Contractor conducted activities related to the preparation of documents required by the EMP – Implementation Plan and Strategy for Managing Environmental, Social, Health and Safety Risks. The Engineer submitted comments to the C-EMSP Procedure, but the C-EMSP Procedure could not be submitted during the indicated period due to the lack of required personnel. During the current reporting period, the Contractor did not obtain the approval of the Engineer in this respect, so the measure was defined as being implemented in partial compliance with the EMP. Following the Engineer's approval of the members of the environmental supervision team as part of the corrective action taken, the Contractor revised the C-EMSP and obtained approval for the document. As of September 2021, the measure was being implemented correctly.

- **item 112** (December 2021, January – May 2022) – *Raising awareness about the prevention of sexual harassment and mobbing. The Contractor, through an approved service provider holding relevant qualifications, shall conduct training courses and implement a scheme raising awareness about the prevention of sexual harassment and mobbing. These measures shall be implemented throughout the term of the Contract, including the Defects Notification Period, at least every other month. They shall take the form of informational, educational, and awareness-raising campaigns.*

Due to the lack of training and advance booking of a training date, in December 2021 the measure was in partial compliance with the EMP, therefore at the EMP meeting, as part of corrective action, the Engineer monitored the correctness of the measure and indicated that the Contractor should book a training date in advance with the relevant Subcontractor.

Again, the measure was not implemented in full compliance in January-May 2022 due to a lack of training in this area. In the other months, the measure was being implemented correctly and the Contractor's staff was trained in against sexual harassment and mobbing.

- **item 113** [May – June 2021] – *Reporting sexual harassment and mobbing. The Contractor must immediately notify the Consultant of any reported or suspected case of sexual harassment and mobbing. All reported and suspected cases of sexual harassment and mobbing shall be entered into the Book of Complaints and Requests kept by the Contractor. If any case of mobbing or sexual harassment is found, the Contractor must take measures to immediately terminate such behaviours and draw all legal consequences against the offenders. The Contractor must also provide any necessary assistance and support to the victims.*

During the indicated reporting period, the Contractor did not have an approved complaints and requests form for staff and therefore the measure could not be considered to be implemented in full compliance with the EMP. Following the Engineer's reminders as part of the corrective action, the Contractor produced a complaint form and book in September 2021 and provided information on where they are available. During the subsequent periods of the Contract, the measure was being implemented correctly.

- **item 115** (January 2022 and March 2022) – *Provision of safe working conditions. The Contractor shall provide such conditions, both at and outside the Task site (during Task-related activities, e.g. during transport), to prevent any accident involving persons engaged in the implementation of the Contract, including the personnel of the Contractor, Engineer, Investor, Subcontractors and others, as well as third parties.*

The Contractor did not implement the measure in full compliance with the EMP, as there was a minor accident on site involving a Contractor employee in January 2022. In March 2022, the Engineer's OHS inspection of the site identified deficiencies in the provision of occupational safety. The Engineer took

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regular corrective action through the Engineer's OHS inspections of the site. Health and safety reports from the inspections were drawn up, which included recommendations to remedy the failures, and the reports were forwarded to the Contractor, obliging them to remedy the faults with written confirmation of the implemented measures.

- **item 117** (May – August 2021) – *Contractor's OHS Supervision. The Contractor shall ensure continuous OHS supervision during the implementation of the Task. The scope of duties, qualifications and composition of Contractor's OSH services shall conform to Polish labour law. Before the works, Contractor's OHS supervisors shall carry out dedicated training for Contractor's personnel on work safety and the risk of accident while implementing the Task.*

The Contractor did not implement the measure in full compliance with the EMP during the indicated period, due to the lack of dedicated staff training carried out. Following the Engineer's reminders, the Contractor took corrective action and carried out OHS training activities in September 2021.

- **item 118** (May – August 2021) – *The Contractor must apply and observe all labour law provisions applicable in Poland, in particular all the provisions of the Labour Code, and comply with the ESHS Code of Conduct.*

During the indicated period, the Contractor conducted activities related to the preparation of documents required by the EMP – Implementation Plan and Strategy for Managing Environmental, Social, Health and Safety Risks. The Engineer submitted comments to the C-EMSP Procedure, but the C-EMSP Procedure could not be submitted during the indicated period due to the lack of required personnel. During the reporting period indicated, the Contractor did not obtain the approval of the Engineer in this respect, so the measure was defined as being implemented in partial compliance PZŚ. Following the Engineer's approval of the members of the environmental supervision team as part of the corrective action taken, the Contractor revised the C-EMSP and obtained approval for the document. As of September 2021, the measure was being implemented correctly.

Other measures were being implemented correctly or there was no need for them.

Three measures, i.e., from items 54, 55, and 112 of Appendix 1 to the EMP, were given the status of completed, despite the provisions for continuing the implementation of the measure during the period of reporting failures. Measure from item 54 and 55 concern *ensuring that the restored green spaces are properly cared for (until the end of the Defect Notification Period) under the supervision of an expert botanist-phytosociologist to carry out treatments to support the restoration of the green spaces and to supervise the care of these spaces (until the end of the Defect Notification Period)*. According to the contract, the Contractor was only obliged to provide care for the restored green areas until the end of the Contract works completed with the Final Acceptance, which took place on 20 April 2023.

In contrast, the measure in item 112 on raising awareness about the prevention of sexual harassment and mobbing (...) – throughout the Contract period including during the period of reporting defects at least every other month. The Defects Notification Period is not the same as the time when the main work is actually carried out. The Defects Notification Period is the warranty period provided by the Contractor, during which the Employer can report defects and faults, which the Contractor is obliged to rectify. Accordingly, during this period the Contractor will no longer be present on the Construction Site and there will be no need for the Contractor's Team to be permanently on the Contract site, so during the defects notification period, the measure will be resumed if the Contractor needs to return to the Contract site and bring in the Contractor's Team to rectify any defects and faults.

5. STATUS OF IMPLEMENTATION OF MONITORING MEASURES FROM APPENDIX 2 TO THE EMP

As stated in Appendix 2 to the EMP for Contract 1B.3/1, the entities responsible for implementing monitoring measures listed in Appendix 2 to the EMP are: Contractor 123 measures (items 1-19 and 19a, 20-101, 103-123 of Appendix 2 to the EMP) and Engineer 124 measures (items 1-19, 19a, 20-123 of Appendix 2 to the EMP). In total, the EMP for Contract 1B.3/1 provides for the implementation of 124 monitoring measures, all of which should be implemented during the reporting period. A summary of the implementation of the monitoring activities is presented in Appendix 1 to this report – *Part II. Checklist for the implementation of monitoring measures listed in Appendix 2 to the EMP for Contract 1B.3/1.*

5.1. MEASURES OF THE CONTRACTOR

During the reporting period, the Contractor monitored the mitigation measure implementation as described in Appendix 2 to the EMP. Monitoring was conducted through:

- verification of the requirements specified in the EMP for the current stage of works;
- verification of documents regarding the fulfilment of the conditions of the EMP;
- ongoing inspections in the work area;
- measures indicated in Appendix 2 to the EMP.
- ongoing arrangements with representatives of the Engineer and the Investor.

In the reporting period, the Contractor implemented 112 (91%) monitoring measures, where:

- 112 (91%) of the measures were completed to the extent required during the reporting period (items 1-10, 12-17, 19, 19a, 20, 21, 23, 24, 29-31, 33-40, 42, 44-53, 55-101, 103-123 in Appendix 2 to the EMP);
- 11 (9%) of the measures in the reporting period were found not to have been implemented, these were monitoring measures assigned to the Contractor and deemed not to be relevant to the reporting period – there was no need to implement them (items 11, 18, 22, 25-28, 32, 41, 43, 54 in Appendix 2 to the EMP).

Monitoring measures were conducted by the Contractor with input from specialists on the Contractor's environmental team, including the EMP coordinator, the OHS coordinator, and the sapper and archaeological supervision team.

5.2. MEASURES OF THE ENGINEER

During the reporting period, the Engineer conducted mitigation implementation monitoring measures as described in Appendix 2 to the EMP. Monitoring was conducted through:

- verification of the requirements specified in the EMP for the current stage of works;
- verification of the Contractor's and Investor's documents regarding the fulfilment of the conditions of the EMP;
- ongoing inspections in the work area;
- measures indicated in Appendix 2 to the EMP;
- ongoing arrangements with representatives of the Contractor and the Investor.

During the reporting period, the Engineer generally completed 124 (100%) monitoring measures, including:

- a) 124 (100%) measures were completed to the extent required during the reporting period (items 1-123, including 19a, from Appendix 2 to the EMP),

The monitoring measures were implemented by the Engineer with the assistance of specialists from the environmental team, including environmental management experts, the Engineer's environmental supervision team, and the Resident Engineer.

5.3. ISSUES RELATING TO THE IMPLEMENTATION OF MONITORING MEASURES FROM APPENDIX 2 TO THE EMP

According to the information presented in monthly reports on the implementation of measures specified in the EMP, in the reporting period no problems were found with the implementation of monitoring measures described in Appendix 2 to the EMP for Contract 1B.3/1. This was also confirmed by the Engineer's monitoring measures.

6. OTHER MEASURES AND EVENTS RELATED TO THE ENVIRONMENT, LOCAL COMMUNITY, HEALTH AND SAFETY

During the execution of the Task, the Contractor implemented a number of ESHS requirements (environmental, social, health and safety aspects), which are standardised by national regulations governing environmental, health and safety, and labour law.

No instances of non-compliance with the Contract requirements were identified in this regard. There were no failures and, in particular, no incidents of contamination of the ground or waters with petroleum substances or substances hazardous to the environment related to the execution of the works or resulting from the execution of the Contract, nor were there any emergency situations that would require extraordinary intervention measures. Furthermore, during the course of the Contract, there were no complaints or conflicts, either from the Contractor's employees or the public, regarding possible violations of labour rights, wages, discrimination, or inappropriate behaviour by persons employed on the Contract, including sexual harassment and mobbing. At the same time, during the course of the Contract there were no extraordinary events, hazards, or disasters caused by or resulting from the execution of the Contract, resulting in risks to the environment or to human life and health. There were no health and safety incidents, serious accidents, injuries, or other incidents requiring medical treatment, or deaths. There was one minor accident during the period of the Contract, where a worker's right hand thumb was pinched by a metal sheet, but this did not endanger the worker's life and health.

6.1. OTHER ACTIVITIES AND EVENTS CONCERNING THE ENVIRONMENT, LOCAL COMMUNITY

During the reporting period, the Contractor conducted preparatory and main works under Contract 1B.3/1, including, but not limited to, the implementation of various measures specified in the Environmental Management Plan to the extent assigned to the Contractor.

In addition, during the reporting period, the Contractor implemented, inter alia, the following other environmental and community measures related to the implementation of Contract 1B.3/1 in terms of:

- protection of adolescents employed to execute the Contract.

The Contractor did not employ any adolescents under the age of 15 during the Contract.

- elimination of inappropriate behaviour of persons employed to execute the Contract (including sexual harassment and mobbing).

The Contractor ensured that conditions during the execution of the Contract were such as to prevent incidents of mobbing and sexual harassment, and complied with labour law, good practice, and work ethics. The Contractor implemented an anti-sexual harassment and mobbing awareness programme and countered the aforementioned phenomena by providing training to employees by an approved expert. The Contractor also ran an information campaign by providing an information leaflet and keeping a book of complaints and requests, and provided a box to allow anonymous submission of complaints. The monthly reports were accompanied by a report on the opening of the aforementioned box. During the course of the Contract, no inappropriate behaviour by persons employed on the Contract related to incidents of sexual harassment and mobbing was reported. The Engineer did not record any reports or irregularities in this regard.

- ensuring proper social and employment conditions for workers employed on the Contract, including equal pay for workers performing the same work without regard to sex, sexual

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orientation or age, the absence of harassment and discrimination on grounds of sex, sexual orientation and age, and facilitating the workers' professional development.

The Contractor applied and complied with all applicable Polish labour law and followed accepted C-EMSP procedures and the ESHS Code of Practice. The Contractor informed site workers about the possibility of submitting complaints about working and pay conditions by preparing an information leaflet. In addition, the Contractor kept a book of complaints and requests throughout the period of the Contract and provided a box to allow any complaints or requests to be submitted anonymously. The leaflet and the book were available throughout the task. The monthly reports were accompanied by a report on the opening of the aforementioned box. During the course of the Contract, no irregularities were reported in this respect by persons employed on the Contract.

- requirements for extraordinary environmental hazards and to comply with the rules recorded in documents drawn up prior to the commencement of the works and updated as necessary.

During the execution of the Task, the Contractor continuously monitored compliance with the rules recorded in documents drawn up prior to the commencement of the works and updated them as necessary, in particular: the OHS Plan, the Waste Management Plan, the Site Flood Protection Plan for the duration of the works, the Spillage Prevention Procedure, the Dredging Works Plan, the Implementation Plan and Strategy for Managing Environmental, Social, Health and Safety Risks. The Contractor monitored the risk of flooding or other emergencies on an ongoing basis, including monitoring media and official information on the state of contamination of the Odra with regard to the potential for health and life risks for those working on the Contract.

6.2. HEALTH AND SAFETY MEASURES AND INCIDENTS

during the reporting period, the Contractor implemented, inter alia, the following other health and safety measures related to the implementation of Contract 1B.3/1 in terms of:

- Ensuring the safety and protection of health of the persons employed to execute the Contract, including the provision of OSH services required by law.

During the period of execution of the Contract, the Contractor provided continuous health and safety supervision, i.e., had a health and safety specialist with qualifications and professional experience in accordance with Polish labour law, who carried out regular inspections of the construction site each month. If irregularities were found, each time a report was drawn up from the health and safety inspection and recommendations were made to the Contractor. The Contractor provided an OHS Coordinator on their team who, in addition to ongoing site inspections, provided training to Subcontractor personnel in accordance with the EMP guidelines and applicable law. The Contractor informed the Engineer of an accident on the site involving a worker in accordance with the procedure outlined in the EMP and took all the actions they are obliged to take under the applicable legislation.

- Prevention of HIV/ AIDS.

The Contractor provided training on HIV/AIDS and Covid-19 disease prevention through an approved service provider. They took other measures to reduce the risk of transmission of such diseases among the Contractor's personnel and the local community, including by equipping the Contractor's office and site facilities with preventive measures to reduce the spread of HIV/AIDS and COVID-19 infectious diseases, providing leaflets for employees and an information poster on HIV/AIDS prevention as part of a campaign

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targeting the local community. During the Covid-19 pandemic, they maintained standards of distance and disinfection, and introduced internal procedures to reduce virus transmission and staff morbidity by limiting the number of in-person meetings and replacing them with online meetings where possible. When meeting with suppliers, contractors or subcontractors, the Contractor adhered to the requirement to have a COVID-19 vaccination certificate or a negative COVID-19 test from the last 48 hours. In addition, during the period of the threat of the spread of COVID-19 coronavirus infection, the Contractor provided the Engineer with weekly reports on the situation on Contract 1B.3/1 in the context of the aforementioned threat, i.e., the status of infections among the Contractor's staff. Measures to prevent coronavirus infection, including the need to monitor the disease and in case of its occurrence – to take appropriate steps, were also implemented by the Contract Engineer and the Employer.

6.3. EXCEPTIONAL EVENTS, RISKS, AND DISASTERS

There were no extraordinary events, risks, or disasters caused by or resulting from the Contract during the course of the Contract.

However, during the implementation of the Contract, the waters of the Odra were contaminated and an environmental disaster occurred. However, this situation was not caused by or in any way related to the execution of the Contract. On 12 August 2022 State Water Management Polish Waters the Regional Water Management Authority in Szczecin issued Navigation Announcement No. 20/2022, informing that in connection with the presence of dead fish on the Odra Waterway, until the circumstances are resolved by the relevant services, including clarification of the causes and publication of the results of water samples, particular caution should be exercised during navigation. Thus, the Contractor, taking due precautions to protect health, stopped all work within the waters of the Regalica.

6.4. ACCIDENTS

Both the Engineer and the Contractor provided continuous health and safety supervision during the period of the Contract. The Engineer's OHS Supervision carried out regular inspections of the site with a frequency of several inspections each month. If irregularities were found, each time a report was drawn up from the Engineer's health and safety inspection and recommendations were made to the Contractor. The reports were forwarded to the Contractor so that the Contractor could take action and rectify the failures identified. On each occasion, the recommendations of the Engineer's OHS supervision were also communicated during the ongoing inspection, and the results of the measures taken by the Contractor were verified during the subsequent inspection. The Contractor provided an OHS Coordinator on their team who, in addition to ongoing site inspections, provided training to Subcontractor personnel in accordance with the EMP guidelines and applicable law.

Notwithstanding the above, during the course of the Contract in January 2022, an incident involving a construction site accident occurred. A worker's right hand thumb was pinched by a sheet metal while they were laying down sheet piling for storage. The employee had been trained in health and safety as well as the hazards present and preventive measures. Following the incident, the Engineer immediately conducted an additional OHS inspection of the site. The recommendations in the report were issued, the report was forwarded to the Contractor, and the Contractor was required to rectify the failures with written confirmation of the implemented measures. During the successive periods of the Contract there were no accidents involving either the Contractor's personnel, the Employer, and the Engineer or members of the public. Ongoing OHS supervision by the Engineer and Contractor continued.

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7. SUMMARY

This document provides a report on the implementation of measures identified in the Environmental Management Plan (EMP) for the project: Works Contract 1B.3/1 **Stage I: Construction of mooring base for icebreakers** as part of the *Odra-Vistula Flood Management Project (OVFMP)*.

The report covers measures implemented during the period:

- from the date of commencement of works under Contract 1B.3/1 (i.e., **9 July 2021**);
- by the date of signature of the Final Protocol (i.e., **20 April 2023**).

During the reporting period, the Contractor carried out works within the scope of the Contract (see description in Chapter 1), including the implementation of 107 mitigation measures specified in Appendix 1 to the EMP, monitored 123 items specified in Appendix 2 to the EMP, and attended other environmental, community, health and safety events.

In the reporting period, the Engineer supervised the works carried out under Contract 1B.3/1, including the implementation of the measure specified in the Environmental Management Plan within the scope assigned to the Engineer, monitored the implementation status of 119 mitigation measures specified in the EMP and participated in other events related to the environment, local community, health and safety.

In the reporting period, the Employer implemented measures assigned to it related to the implementation of Contract 1B.3/1, including the measure specified in the Environmental Management Plan in the scope assigned to the Investor, monitored the implementation of mitigation measures specified in the EMP, and participated in other events related to the environment, local community, health and safety.

As a result of monitoring measures implemented by the Contractor, the Engineer, and the Employer, it was determined that during the reporting period:

- a) 107 out of 119 mitigation measures specified in Appendix 1 to the EMP were implemented;
- b) 12 of the 119 mitigation measures identified in Appendix 1 to the EMP were not implemented [there was no need to implement them during the reporting period];
- c) 124 out of 124 monitoring measures specified in Appendix 2 to the EMP were implemented;

A summary of the implementation of the monitoring activities is presented in Appendix 1 to this report – *Part III. List – quantitative summary of the implementation of measures listed in Appendix 1 and 2 to the EMP, in the reporting period.*

8. LIST OF APPENDICES

- Appendix 1 – Checklist for the implementation of measures listed in Appendices 1 and 2 to the EMP for Contract 1B.3/1
- Appendix 2 – Photographic documentation