

Appendix 4 Minutes of Discussions (M/D)

(1) Preparatory Survey

**Minutes of Discussions
on the Preparatory Survey
on the Project for Widening of New Bagamoyo Road
in the United Republic of Tanzania**

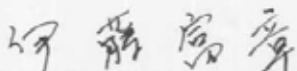
In response to a request from the Government of the United Republic of Tanzania (hereinafter referred to as "the Tanzania"), the Government of Japan decided to conduct a Preparatory Survey on the Project for Widening of New Bagamoyo Road (hereinafter referred to as "the Project") and entrusted the survey to the Japan International Cooperation Agency (hereinafter referred to as "JICA").

JICA sent to the Tanzania the Preparatory Survey Team (hereinafter referred to as "the Team"), which is headed by Mr. Tomiaki ITO, Deputy Director General for Transportation and ICT, Economic Infrastructure Department, JICA, and is scheduled to stay in the country from March 18, 2009 to May 12, 2009.

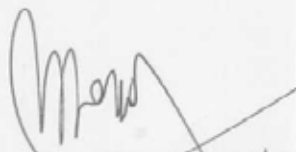
The Team held discussions with the officials concerned of the Government of Tanzania and conducted a field survey at the Project sites.

In the course of discussions and field survey, both parties confirmed the main items described on the attached sheets. The Team will proceed to further works and prepare the Preparatory Survey Report.

Dar es Salaam, March 31, 2009



Tomiaki Ito
Leader
Preparatory Survey Team
Japan International Cooperation Agency



Ephraem C. Mrema
Chief Executive
Tanzania National Roads Agency
the United Republic of Tanzania



Omar A. Chambo
Permanent Secretary
Ministry of Infrastructure Development
the United Republic of Tanzania

Witness 

Ngosha Said Magonya
Commissioner for External Finance
Ministry of Finance and Economic Affairs
the United Republic of Tanzania

ATTACHMENT

1. Title of the Project

Both sides agreed that the title of the Project is "the Project for Widening of New Bagamoyo Road"

2. Objective of the Project

Both sides confirmed that the objective of the Project is to secure more smooth and reliable transportation of New Bagamoyo Road in Dar Es Salaam by widening the existing road from 2-lane carriage way to 4-lane carriage way.

3. Project site (s)

The site of the Project is as shown in Annex-1.

4. Responsible and Implementing Agency

4-1. The Responsible Ministry is Ministry of Infrastructure Development, and its organization chart is shown in Annex-2.

4-2. The Implementing Agency is Tanzania National Roads Agency (TANROADS), and its organization chart is shown in Annex-3.

5. Items requested by the Government of Tanzania

5-1. Both sides confirmed that the items described as follow were requested by the Tanzanian side.

- Widening of New Bagamoyo Road to 4-lane carriage way for about 17km long stretch between Morocco Junction and Tegeta Junction.
- To leave a space for the Bus Rapid Transit (BRT).
- Rehabilitation and/or extension of 3 bridges located at 4.9km (Mlalakuwa), 7.8km (Lugalo) and 15.6km (Tegeta) from Morocco Junction.
- Construction of culverts.
- Construction of drainage system.
- Construction of traffic safety facilities (e.g. road marking, road sign,)

5-2. The Tanzanian side requested to the Team that BRT shall be considered to the Project road.

The Team answered that the width of the space should be confirmed upon discussion with TANROADS and related authorities.

JICA will assess the appropriateness of the above-mentioned request and will recommend to the Government of Japan for approval.



6. Japan's Grant Aid Scheme

- 6-1. The Tanzanian side understands the Japan's Grant Aid scheme explained by the Team.
- 6-2. The Tanzanian side will take the necessary measures, as described in Annex-4 and 5, for smooth implementation of the Project, as a condition for the Japanese Grant Aid to be implemented.

7. Environmental and Social Consideration

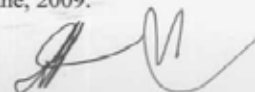
- 7-1. The Team explained the outline of the JICA Guidelines for Environmental and Social Considerations (hereinafter referred to as "the JICA Guidelines"), and the Tanzanian side agreed to take the JICA Guidelines into consideration.
Both sides confirmed that JICA Guidelines will be fitted into EIA procedure in Tanzania.
- 7-2. The Tanzanian side explained to the Team that the Project should follow the EIA procedure in Tanzania. The Tanzanian side further explained that they have already submitted the application to the National Environment Management Council (NEMC). Both sides confirmed that the Tanzanian side shall implement further necessary procedures to obtain the approval by the end of November, 2009.
- 7-3. The Tanzanian side agreed to obtain basic agreement from the Project Affected Persons (PAPs) including land owners regarding the Project, and to arrange the budget allocation for land acquisition, resettlement and compensation for PAPs before the approval of the Project by the Government of Japan, in case any PAPs would be identified at the Project sites.

8. Schedule of the Survey

- 8-1. The consultants will proceed to further survey in Tanzania until May 12, 2009.
- 8-2. JICA will prepare the draft report in English and dispatch a mission in order to explain its contents around September, 2009.
- 8-3. When the contents of the report are accepted in principle by the Government of Tanzania, JICA will complete the final report and send it to the Government of Tanzania by November, 2009.

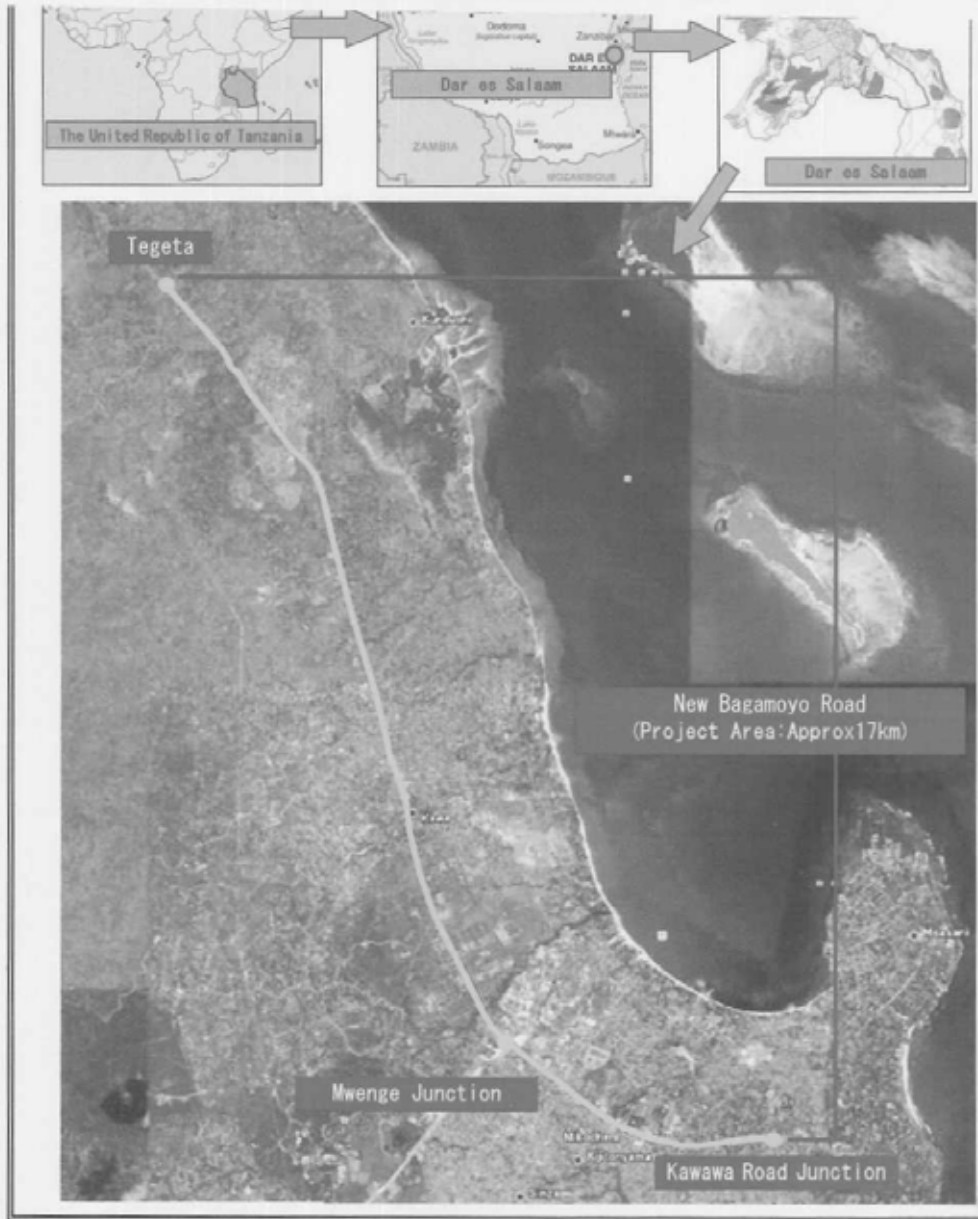
9. Other relevant issues

- 9-1. Both sides confirmed that Right of way (ROW) varies from section to section as follows;
 - 30m to 45m wide between Morocco Junction and Mwenge Junction (subject to be defined more precisely),
 - 60m wide between Mwenge Junction and Tegeta bridge, and
 - 50m wide between Tegeta bridge and Tegeta Junction.
- 9-2. Both sides confirmed that the following undertakings should be taken by the Tanzanian side.
The Tanzanian side explained that they shall allocate the budgets for those undertakings.
The Japanese side explained they will provide necessary information (e.g. number of houses, types of utilities for resettlement and relocations) by the end of June, 2009.



- (1) Removal of the existing trees along the Project road, and buildings and/or their exterior within the Project site.
 - (2) Relocation and/or removal of existing utilities (power lines, water lines, etc.) including the underground facilities from the Project site.
 - (3) Necessary arrangement for traffic control at necessary sections.
 - (4) Necessary arrangement for the tax exemption of imported equipment, materials and vehicles for the Project.
 - (5) Securing and clearance of the temporary yard.
 - (6) Securing of site for disposal of waste.
 - (7) Necessary arrangement for securing borrow pits and quarries.
- 9-3. Both sides confirmed that the schedule of the critical undertakings as follows.
- (1) Public utilities; the Japanese side will provide necessary information with types of utilities. The TANROADS will sign the memorandum of understanding for relocation of the said utilities with authorities (TANESCO, TTCL and DAWASCO, etc.) by the end of August, 2009. Both sides confirmed that relocation plan/layout that shall be provided by Tanzanian side will affect the resettlement plan. Tanzanian side confirmed to call up Steering Committee meeting in early April, 2009 in order to discuss relocation plan.
 - (2) Resettlement; the Japanese side will provide necessary information by the end of June, 2009 with the number of houses/buildings that shall be resettled. The Tanzanian side will complete the resettlement procedure, at least up to the stage of valuation by the end of August, 2009.
- 9-4. Both sides confirmed that the Tanzanian side will organize the Steering Committee for smooth implementation of the Project. The function and membership are stated in Annex-6
- 9-5. The Tanzanian side shall secure enough budget and personnel necessary for the operation and maintenance of the road and the facilities including such as the bridges constructed by the Project, including the periodical maintenance work after the completion of the Project.
- 9-6. The Tanzanian side shall provide necessary numbers of counterpart personnel to the Team during the period of the survey in Tanzania.
- 9-7. The Tanzanian side shall submit answers to the Questionnaire, which the Team handed to the Tanzanian side, by April 6, 2009.





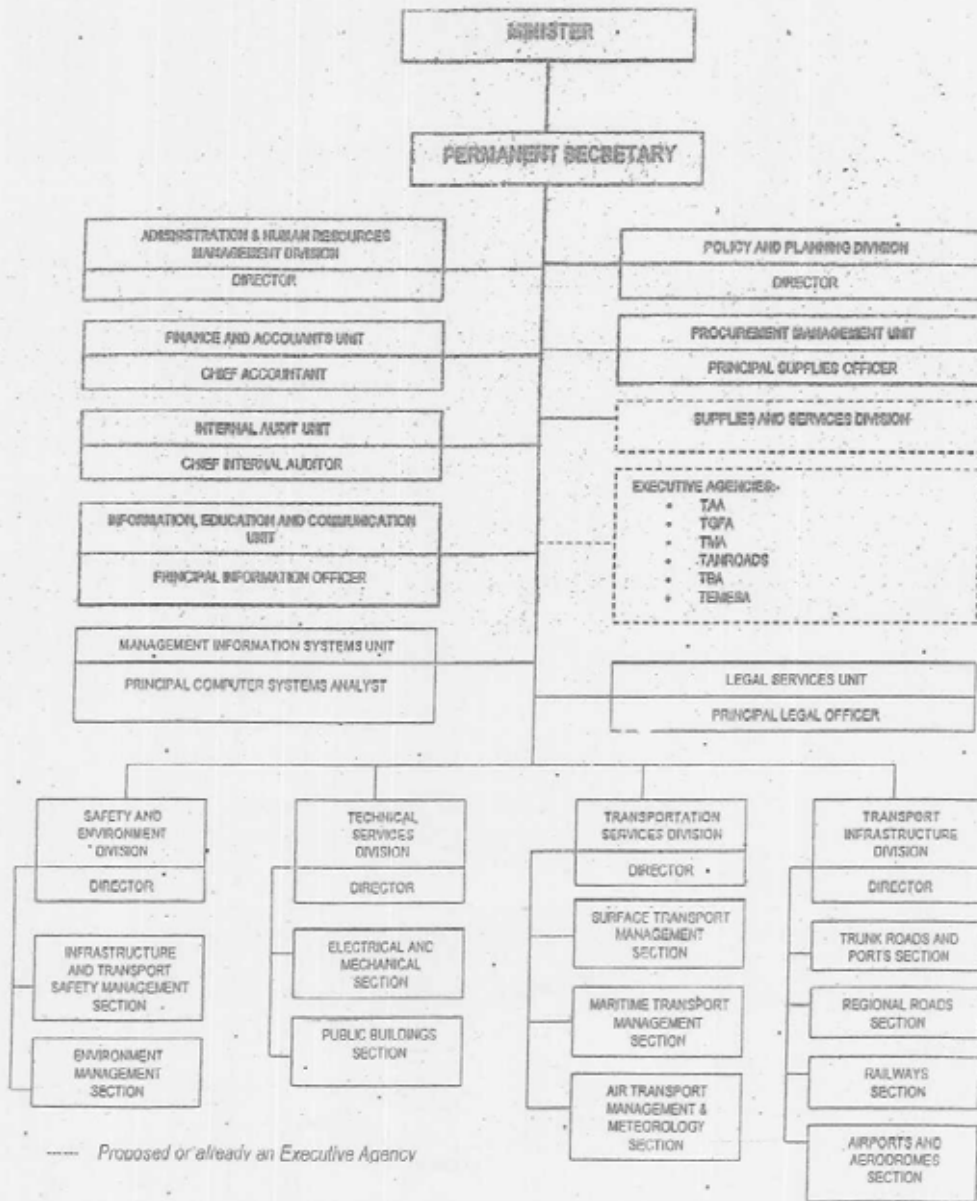
Location Map

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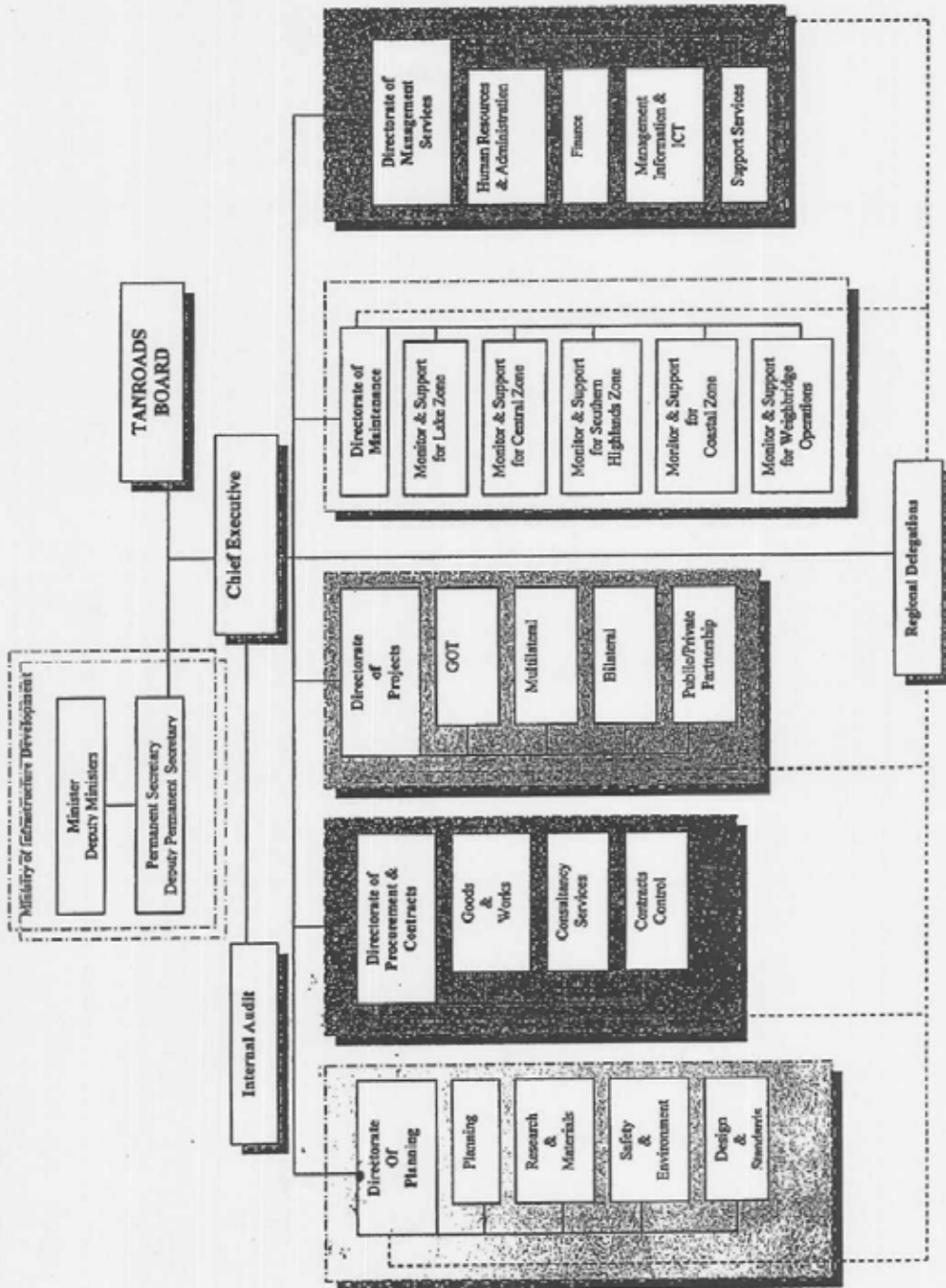
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**THE ORGANISATION STRUCTURE OF THE MINISTRY OF
INFRASTRUCTURE DEVELOPMENT**
(Approved by the President on 04th July, 2008)



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Figure 1: Proposed Organization Structure for TANROADS (Headquarter)



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JAPAN'S GRANT AID

The Grant Aid provides a recipient country with non-reimbursable funds to procure the facilities, equipment and services (engineering services and transportation of the products, etc.) for economic and social development of the country under principles in accordance with the relevant laws and regulations of Japan. The Grant Aid is not supplied through the donation of materials as such.

1. Grant Aid Procedures

Japan's Grant Aid scheme is executed through the following procedures:

Survey	(Preparatory Survey (hereinafter referred to as "the Survey) conducted by JICA)
Appraisal & Approval	(Appraisal by the Government of Japan (hereinafter referred to as "the GOJ"), and Approval by the Cabinet)
Determination of Implementation	(The Notes exchanged between the GOJ and a recipient country)
Implementation	(Implementation on the basis of the Grant Agreement (hereinafter referred to as "the G/A") concluded between JICA and a recipient country)

Firstly, JICA conducts the Survey using (a) Japanese consulting firm(s).

Secondly, the GOJ appraises the project to see whether or not it is suitable for Japan's Grant Aid Scheme, based on the Survey report prepared by JICA, and the results are then submitted to the Cabinet for approval.

Thirdly, the project, once approved by the Cabinet, becomes official with the Exchange of Notes (hereinafter referred to as "the E/N") signed by the GOJ and the recipient country.

Finally, for the implementation of the project, JICA and the Government of the recipient country conclude the G/A to make payment of the grant and assist in such matters as preparing tenders, contracts and so on.



2. Preparatory Survey

(1) Contents of the Survey

The aim of the Survey is to provide a basic document necessary for the appraisal of the Project by the Government of Japan. The contents of the Survey are as follows:

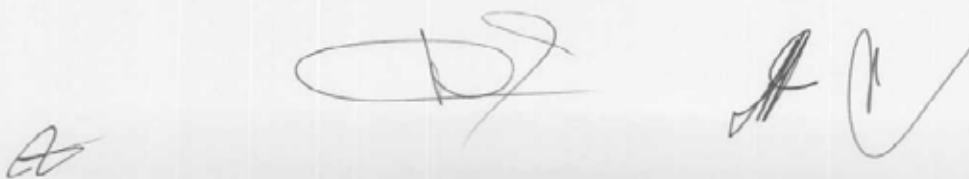
- Confirmation of the background, objectives, and benefits of the Project and also institutional capacity of agencies concerned of the recipient country necessary for the implementation of the Project.
- Evaluation of the appropriateness of the Project to be implemented under the Grant Aid Scheme from a technical, financial, social and economic point of view.
- Confirmation of items agreed on by both parties concerning the basic concept of the Project.
- Preparation of a basic design of the Project.
- Estimation of costs of the Project.

The contents of the original request are not necessarily approved in their initial form as the contents of the Grant Aid project. The Basic Design of the Project is confirmed considering the guidelines of the Japan's Grant Aid scheme.

The Government of Japan requests the Government of the recipient country to take whatever measures are necessary to ensure its self-reliance in the implementation of the Project. Such measures must be guaranteed even though they may fall outside of the jurisdiction of the organization in the recipient country actually implementing the Project. Therefore, the implementation of the Project is confirmed by all relevant organizations of the recipient country through the Minutes of Discussions.

(2) Selection of Consultants

For smooth implementation of the Survey, JICA uses (a) registered consulting firm(s). JICA selects (a) firm(s) based on proposals submitted by interested firms. The firm(s) selected carry(ies) out the Survey and write(s) a report, based upon terms of reference set by JICA. The consultant firm(s) used for the Survey is (are) recommended by JICA to the recipient country to also work on the Project's implementation after the E/N and the G/A, in order to maintain technical consistency.

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3. Japan's Grant Aid Scheme

(1) The E/N and the G/A

When a project proposed by a recipient government is approved by the GOJ, the E/N will be signed between the GOJ and the Government of the recipient country to make a plea for assistance, which is followed by the conclusion of the G/A between JICA and the Government of the recipient country to define the necessary articles to implement the project, such as payment conditions, responsibilities of the Government of the recipient country, and procurement conditions.

(2) Eligible source country

Under the Grant Aid, in principle, Japanese products and services including transport or those of the recipient country are to be purchased. When JICA and the Government of the recipient country or its designated authority deem it necessary, the Grant Aid may be used for the purchase of the products or services of a third country. However, the prime contractors, namely, constructing and procurement firms, and the prime consulting firm are limited to "Japanese nationals". (The term "Japanese nationals" means persons of Japanese nationality or Japanese corporations controlled by persons of Japanese nationality.)

(3) Necessity of "Verification"

The Government of recipient country or its designated authority will conclude contracts denominated in Japanese yen with Japanese nationals. Those contracts shall be verified by JICA. This "Verification" is deemed necessary to secure accountability to Japanese taxpayers.

(4) Major undertakings to be taken by the Government of the Recipient Country

In the implementation of the Grant Aid Project, the recipient country is required to undertake such necessary measures as Annex-5

(5) "Proper Use"

The Government of recipient country is required to maintain and use the facilities constructed and the equipment purchased under the Grant Aid properly and effectively and to assign staff necessary for this operation and maintenance as well as to bear all the expenses other than those covered by the Grant Aid.

(6) "Export and Re-export"

The products purchased under the Grant Aid should not be exported or re-exported from the

recipient country.

(7) Banking Arrangements (B/A)

- a) The Government of the recipient country or its designated authority should open an account in the name of the Government of the recipient country in a bank in Japan (hereinafter referred to as "the Bank"). JICA will execute the Grant Aid by making payments in Japanese yen to cover the obligations incurred by the Government of the recipient country or its designated authority under the Verified Contracts.
- b) The payments will be made when payment requests are presented by the Bank to JICA under an Authorization to Pay (A/P) issued by the Government of the recipient country or its designated authority.


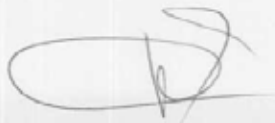
(8) Authorization to Pay (A/P)

The Government of the recipient country should bear an advising commission of an Authorization to Pay and payment commissions to the Bank.

(9) Social and Environmental Considerations

The recipient country must ensure the social and environmental considerations for the Project and must follow the environmental regulation of the recipient country and JICA socio-environmental guideline

(End)



1	To secure land		●
2	To clear, level and reclaim the site when needed		●
3	Relocation, improvement and/or repair of existing utilities(power lines, telecommunication lines, water lines, etc.), if necessary		●
4	To bear the following commissions to a bank of Japan for the banking services based upon the B/A		
	1) Advising commission of A/P		●
	2) Payment commission		●
5	To ensure prompt unloading and customs clearance at the port of disembarkation in recipient country		
	1) Marine(Air) transportation of the products from Japan to the recipient country	●	
	2) Tax exemption and custom clearance of the products at the port of disembarkation		●
	3) Internal transportation from the port of disembarkation to the project	●	
6	To accord Japanese nationals whose services may be required in connection with the supply of the products and the services under the verified contract such facilities as may be necessary for their entry into the recipient country and stay therein for the performance of their work		●
7	To exempt Japanese nationals from customs duties, internal taxes and other fiscal levies which may be imposed in the recipient country with respect to the supply of the products and services under the verified contract		●
8	To maintain and use properly and effectively the facilities constructed and equipment provided under the Grant Aid		●
9	To bear all the expenses, other than those to be borne by the Grant Aid, necessary for the transportation and installation of the equipment		●

(B/A: Banking Arrangement, A/P: Authorization to pay, N/A: Not Applicable)

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Steering Committee for the Project for Widening of the New Bagamoyo Road

1. Function of the Steering Committee

Function of the Steering Committee is to coordinate technical and administrative matters related to the relocation and/or removal of the existing utilities for effective and efficient implementation of the work. The detail Terms of Reference of the Steering Committee will be elaborated in the early stage of the Steering Committee Meetings.

2. Provisional members of the Steering Committee

Chair

Tanzania National Roads Agency (TANROADS)

Members

- (1) Representative from Tanzania National Electric Supply Company Ltd. (TANESCO)
- (2) Representative from Dar es Salaam Water Supply Corporation (DAWASCO)
- (3) Representative from Tanzania Telecommunications Company Ltd. (TTCL)
- (4) Representative from Dar es Salaam Bus Rapid Transit Agency (DART)
- (5) Representative from National Environment Management Council (NEMC)
- (6) Representative from Kinondoni Municipality

Observers

- (1) Representative from Ministry of Infrastructure Development (MOID)
- (2) Representative from JICA Tanzania Office

