



NORTHERN STATES GOVERNORS' FORUM

REQUEST FOR PROPOSAL FOR ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT, RESETTLEMENT ACTION PLAN, AND SPECIALIST ENVIRONMENTAL AND SOCIAL PLANNING STUDIES FOR THE NORTHERN STATES GOVERNORS' FORUM 2 GW SOLAR POWER PLANTS PROJECT IN NIGERIA

1. Introduction

The Technical Implementation Committee of the Northern States Governors' Forum (the "Sponsor" or "Client") requires the services of a qualified and experienced environmental and social consultant (the "E&S Consultant" or the "Consultant") to provide environmental and social impact assessments and development of management plans and specialist studies in connection with the proposed establishment of 100 MW solar power plants in each of the 19 Northern States and the Federal Capital Territory of Nigeria (the "Project" or "Proposed Transaction").

Potential financiers (equity and debt providers) will also be relying on the reports in assessing the overall viability of the project, and to this end, you are invited to submit a competitive proposal including a detailed estimate of fees and billing arrangements, to act as the Technical Adviser to the Sponsor on the proposed transaction.

The Sponsor will be directly responsible for payment of all professional fees, costs, expenses, and disbursements of the E&S Consultant or in connection with its engagement (including in each case any taxes thereon).

2. Confidentiality

Documents relating to the Proposed Transaction are confidential and must be treated as such. Documentation or information shall not be disclosed without the prior written consent of the Sponsor except:

- I. As required by law or by any applicable governmental or other regulatory authority or by any applicable stock exchange.
- II. To employees, for the Proposed Transaction, who have been made aware of and agree to be bound by the obligations under this paragraph or are in any event subject to confidentiality obligations as a matter of law or professional practice.
- III. Documents which are or become public knowledge through no breach of either your firm or the Parties under the obligations of confidentiality herein.

IV. The information which was known to your firm prior to disclosure in terms hereof.

3. Terms of Reference

The Terms of Reference (TOR) for the Consultant is expected to cover the following topics:

- I. Environmental and Social Impact Assessment (ESIA) and Environmental and Social Management Plan (ESMP)
- II. Resettlement Scoping, Resettlement Policy Framework (RPF), and Resettlement Action Plan (RAP)
- III. Specialist Environmental and Social Planning Studies (as required)

The TOR will outline the Consultant's tasks in as much detail as possible. Nevertheless, the Consultant shall critically verify the scope of services indicated and may extend and/or amend those services wherever such is deemed necessary according to his/her professional judgement and knowledge. Any suggested amendments to the TOR should be clearly documented within the Consultant's submission, including accompanying justification for the proposed amendments.

The detailed TOR will be detailed in Appendix A.

4. Sponsors Requirements

The details of the services required are defined in the attached Scope of Work in Appendix A. The proposals received would form the basis of future negotiations and a contract between the selected firm (with the best technical and commercial combined scores) and the Sponsor. The Sponsor also requires a confirmation that there is no conflict of interest by the participating firms.

5. Skills and Experience Required

The successful Consultant must meet the following requirements:

- I. Provision of adequate and qualified personnel and other resources as deemed necessary in the execution of the assignment outlined in the TOR.
- II. Experience in providing the outlined services to similar projects with special reference to Africa.
- III. Ability to prepare environmental reports in line with standard market practice and lenders' requirements.

6. Technical Proposal

The technical proposal should:

- I. Provide comments on the TOR, if any, to improve the effectiveness and efficiency of carrying out the assignment to achieve the project's required objectives.
- II. Specify experience in providing technical services to similar projects over the last 10 years, stating your firm's role, the client, contract value and completion dates (or current status for ongoing projects).

- III. Specify general approach, methodology, work plan, and the timeline for carrying out the services within the required schedule, to an accepted industry standard and quality.
- IV. Specify project organization and staffing arrangements; including details of key personnel that will be allocated to each specialised area/activity in work-plan and reporting lines
- V. provide the names, background and summary CV of the key staff and experts to be assigned for providing the proposed services: in-country and regional office(s). Please note that a minimum of 8 years post-qualification professional experience will be required.

7. Financial Proposal

The financial proposal should be prepared on a lump sum fixed price basis in [US Dollars and Naira], inclusive of all professional fees and all estimated out-of-pocket expenses and disbursements, in accordance with the TOR. The financial proposal should show in detail:

- I. The manhour rate for each professional to be assigned to the Project.
- II. A breakdown of all time-based rates including site and off-site work.
- III. An estimate, together with a detailed breakdown, of the cost of reimbursable items, such as expenses for any counterpart staff that shall be assigned to the Project, and for personnel of the Consultant and associates in respect to the Terms of Reference, international travel, per diem, accommodation, transportation expenses, including vehicles, office supplies, communication expenses and the likes.
- IV. An estimate of the total cost of the services, and the lump-sum contract price with your proposed payment milestones and terms.

8. Conflict of Interest

Please confirm that your firm will have no conflict of interest concerning its participation in the Proposed Transaction.

9. Submission

The proposal must be prepared in the English language and submitted to salis.othman@kdsg.gov.ng.

Proposals should be submitted on or before **1700hrs (WAT) on 15th March 2022**. Any requests for clarification should be submitted to the above-mentioned email.

Please assume that financial close for the Transaction is expected to take place within 18 months from the date of commencement of your services of the Transaction.

Proposals are valid for acceptance for three months from the date of submission and during such validity period, the firm should undertake to maintain without change, the proposed staffing (including named personnel) and the commercial conditions.

Kindly note that the Sponsor is not bound to select any of the submitted proposals. Fee proposal, quality, and compliance with the RFP requirements will be the principal selection criteria.

Signed

The Secretariat,

FOR: NIGERIA NORTHERN STATE GOVERNORS' FORUM

APPENDIX A

TERMS OF REFERENCE

1. Scope of Work

The scope outlined here describes the activities that are to be performed by the Consultant and completed under the following reference framework

- I. International Finance Corporation (IFC) Performance Standards
- II. Equator Principles.
- III. Applicable local, national, and international Environmental & Social legislation.
- IV. Host country laws, rules, and E&S regulations applicable to all project phases and activities.
- V. International conventions and treaties adopted by the host country and applicable to the Project.
- VI. All International Labour Organization (ILO) conventions covering the core labour standards, the basic terms and conditions of employment.
- VII. All relevant World Bank Group General and Sector-Specific Guideline.
- VIII. Applicable Licenses and Permits.
- IX. EDFI Principles for Responsible Financing.

A. Environmental and Social Impact Assessment (ESIA) and Environmental and Social Management Plan (ESMP)

This required workstream aims to identify and assess potential positive and negative environmental and social impacts and risks of all phases of the Transaction. The ESIA process will identify measures to avoid, minimize or mitigate the potential negative environmental and social impacts, and wherever possible to enhance the identified benefits to the local community and the environment.

Accordingly, the ESIA shall:

- I. Describe the existing environmental and social conditions.
- II. Identify and assess the potential positive and negative environmental and social risks and impacts stemming from interactions with programme activities during the construction, operation, and decommissioning phases (direct, indirect, and cumulative impacts).
- III. Design and establish adequate safeguard measures in line with international good practice and relevant standards including mitigation, management, and monitoring measures to minimise the negative impacts and enhance the positive impacts of the project, without compromising its technical and economic feasibility and help determine crucial elements that facilitate the decision-making process.
- IV. The ESIA is intended to be used for decision-making by local authorities including the national and regional permitting and regulatory process applicable in Nigeria, international lenders, export credit agencies and internally by the Sponsors.

Additionally, the ESIA process is intended to inform the development of a detailed and prescriptive Environmental and Social Management Plan (ESMP) describing clear, actionable and timebound measures for mitigation of negative impacts through the life of the programme, enhancing of benefits and undertaking ongoing monitoring and reporting activities.

- V. Within the scope of the ESIA, the Consultant shall assess and determine potential stakeholder risks and impacts associated with the programme and develop appropriate management tools to establish effective and meaningful ongoing stakeholder engagement, participation, disclosure, transparent and timely grievance redress through the Programme.

Based on the above, the TOR is expected to largely follow the following board tasks:

Task 1: ESIA Planning

Develop a comprehensive plan for the execution of the ESIA and prepare a plan for works. The plan shall provide a breakdown of the work stages and tasks and describe how the work will be coordinated between the various parties, and have an outline as detailed below:

- a. Brief description of the project, size, and layout of the project area, as well as associated facilities; including a brief description of the Project phases and related activities
- b. Outline of Area of Influence (AOI) for the different environmental and social receptors
- c. Brief description of the applicable national legal framework and international standards
- d. Initial gap analysis of national legal frameworks in relation to applicable international standards
- e. Brief description of the physical environment and socio-economic setting
- f. Identification of the key environmental and social impacts and risk
- g. Brief description of the project alternatives to be considered in the ESIA
- h. Brief stakeholder analysis/ stakeholder mapping to identify the stakeholder groups who may be affected by and/ or may have an interest in/ influence on the Project, including initial consultation of local communities and statutory stakeholders for the scoping process
- i. Outline of methodology and approach for community engagement to be applied during ESIA, including national legal provisions for public information and disclosure in both permitting jurisdiction
- j. Outline of the methodology, the approach, and the general timeline for the ESIA, including activities and other necessary studies as required
- k. Preliminary outline of the mitigation and management efforts that would need to be taken to comply with the relevant standards and legal requirements

Task 2: Conduct Baseline Studies and Stakeholder Engagement

- i. Baseline Studies

The ESIA process will involve studies to determine the existing environmental and social conditions in the project AOI. These baseline studies will involve research and secondary data sources as well as field surveys to collect primary data where required. Attention shall focus on (but not be limited to) issues related to:

- a. Physical environment:** topography, geology, soils, surface, and underground water resources (hydrology, water quality and drainage patterns); ambient air quality and noise levels, land use and land cover, landscape, and visual amenity.
- b. Biological environment:** fauna, flora, rare or endangered species, ecosystem services, protected areas and critical habitats.
- c. Social, economic, and cultural environment:** urban and rural livelihoods, land use (including seasonal land use), land tenure, agriculture/ livestock farming, demographics and migration patterns, employment, socio-cultural institutions and cultural norms, community health and safety (H&S), occupational H&S, education, infrastructure, waste management, landscape aesthetics, cultural heritage, vulnerable groups including persons special needs or interests e.g., Indigenous Peoples.

ii. Stakeholder Engagement

Stakeholder Engagement is an inclusive process conducted throughout the Programme's life cycle and a key aspect of any ESIA process. Transparent engagement between all stakeholders is an essential element of good international practice. Effective stakeholder engagement can improve the environmental and social sustainability of the Programme, enhance Programme acceptance, and make a significant contribution to successful implementation. The Consultant will prepare a detailed Stakeholder Engagement Plan (SEP) that cover the elements required by the Reference Framework (especially the lender's requirements) and generally, be aligned with the Good Practice Handbook on Stakeholder Engagement of the IFC.

Task 3: Impact Assessment

The Consultant will be required to identify the positive and negative environmental and social impacts (direct, indirect, cumulative, temporary, and permanent) potentially stemming from the Programme. This should include impacts in terms of magnitude, significance, reversibility/ potential for mitigation, extent, duration (major, moderate, minor, and negligible impacts) during the pre-construction, construction, and operation/ maintenance phases as well as for decommissioning or closure and reinstatement. To do so, the Consultant will make use of a robust and consistent qualitative or semi-qualitative methodology. Quantitative data should be employed to the extent possible. The assessment will also compare the identified impacts with the "without Project"-scenario impacts.

Task 4: ESIA Reporting

Commence preparing of the ESIA document and acquire all missing data for evaluating the Programmes impacts in order to develop the corresponding documents in compliance with the relevant standards and legal requirements. The final ESIA document needs to comply with national legislation e.g., for permit approval, as well as with the international standard requirements, e.g., IFC Performance Standards and EHS Guidelines. At the very minimum, the ESIA is expected to cover the following:

- a) Project Description
- b) Assessment of Alternatives
- c) Legal and Policy Requirements (including a Gap Analysis Against International Standards)
- d) Assessment of Environmental and Social Impacts and Risks of Project Facilities and Activities
- e) Mitigation and Management of Impacts and Risks
- f) Residual Impacts and Risks
- g) Non-Technical Summary (NTS)
- h) Relevant ESIA Annexes

Task 5: ESMP Reporting

Based on the results of the ESIA, the Consultant will prepare an ESMP that compiles the impacts and required mitigation measures as identified in the ESIA, as well as the monitoring requirements to ensure that the identified measures are implemented, and any unforeseen impact is identified and handled in line with the ESMP. This ESMP is to be a standalone plan that provides further detail on the management plan provided in the ESIA.

The ESMP shall include:

- a. Detailed management plans and procedures
- b. Listing of the commitments based on the mitigation measures identified, which should include details on:
 - i) The anticipated objectives or target of each measure.
 - ii) Related milestones and time frames.
 - iii) Reporting requirements; and
 - iv) Required resources (competencies, human resources, required equipment, materials and budgets required for the implementation of this commitment).

Details on appropriate monitoring activities to ensure that:

- i) mitigation measures are effective,
- ii) unforeseen negative impacts or trends are detected and addressed, and
- iii) expected Project benefits or opportunities are achieved. Indicators should be aligned to elements of the existing pre-Project baseline and be **Specific, Measurable, Achievable, Relevant and Time-bound**.

Deliverables will include:

- i) ESIA Execution Plan
- ii) Baseline Studies Plan
- iii) Stakeholders Engagement Plan
- iv) Environmental and Social Impact Assessment
- v) Environmental and Social Management Plan
- vi) Final Stakeholders Engagement Plan

B. Resettlement Scoping, Resettlement Policy Framework (RPF), and Resettlement Action Plan (RAP)

For this workstream the Consultant shall:

- I. Determine whether a RAP is required
- II. Develop a likely scope of displacement (both physical and economic)
- III. Assess alternatives that can avoid displacement, and where avoidance is not possible, minimize the extent of displacement
- IV. Define an approach for land acquisition and resettlement, including clear roles and responsibilities for all parties
- V. Prepare a clear term of reference for the development of a RAP and Livelihood Restoration Plan (LRP)
- VI. Carry out a Resettlement Scoping Study to meet current internationally accepted standards of data collection, reporting and analysis and comply with existing social performance standards including but not limited to the requirements of Nigerian law and those set out in the relevant reference framework
- VII. Conduct field assessments and collect baseline information (primary and secondary data) relevant to social and resettlement screening to determine the potential resettlement impacts that may affect the lives of the people and or habitats along the proposed project area.
- VIII. Develop and implement a strategy and associated plan to conduct stakeholder consultations with key interested parties through a combination of qualitative and quantitative methods.
- IX. Prepare standards for compensation and livelihood restoration. This is likely to require standardised formulas to calculate full replacement costs for lost assets, including physical structures and land. All compensation options are to show clear consideration for culturally acceptable replacements for lost services, cultural sites, common/community property, access to resources for subsistence, income, and cultural activities.
- X. Prepare options for relocation and income restoration that build on existing social, economic, and cultural parameters. This is to be inclusive of displaced persons and the host community, where losses take place.
- XI. Develop a grievance and dispute mechanism as part of the RAP/LRP. This process may be done in conjunction with the ESIA; however, the mechanism should

describe how affected persons will seek redress for grievances regarding any aspect of the RAP/LRP.

XII. Prepare a monitoring and evaluation framework and associated plan identifying responsibilities, timeframes and key resettlement and the social indicators. This will include ongoing monitoring by key specialists, supplemented by an independent evaluation of all implementation activities to ensure alignment with the implementation process and management of all resettlement impacts.

XIII. Prepare an indicative resettlement budget. This will include all indicative land acquisition and resettlement costs. The resettlement budget will include recommended budgetary allocations and timing.

Deliverables will include:

- i) Land Acquisition Scoping Report (as required)
- ii) Final Resettlement Policy Framework.
- iii) Final Resettlement Action Plan

C. Specialist Environmental and Social Planning Studies (as required)

The services under this TOR workstream would be to evaluate specific issues due to the nature of the projects under the Programme. These would be intended to address specific requirements of identified lenders' environmental and social standards.

The studies are as follows:

- i. Indigenous Peoples and Cultural Resources Screening Study

The objective of the screening study is to:

- a. Identify the potential for the presence of Indigenous Peoples (IP) and Cultural Resources (CR) in the Project's Area of Influence
- b. Characterise the nature and extent of IP or CR identified
- c. Screen for the potential for impact or risk to IP or CR
- d. Prepare a report on the screening study

- ii. Human Rights and Fragile Context Risk and Impact Assessment

The objectives of the Human Rights and Fragile Context Review are as follows:

- a. Identify and assess human rights and fragile context risks relevant to the Project, both internally and in the wider local community of operations
- b. Develop an internal mitigation and monitoring strategy to allow for rapid corrective actions tailored to manage identified human rights and fragile context risks
- c. Develop internal and external grievance mechanisms to allow the project's employees as well as individuals from the local community to provide feedback, share concerns, and when applicable seek recourse and remedy

- iii. Climate Change Risk and Resiliency Study

The key objectives for this work are as follows:

- a. Undertake a climate change risk assessment as required for the projects under the Programme.
 - b. Define the potential risks that climate change may present to the proposed projects under the Programme
 - c. Provide suggested mitigation measures to account for the identified risks
- iv. Biodiversity Screening Study

APPENDIX B

EVALUATION CRITERIA OF PROPOSALS

General Approach

The evaluation will comprise a combined technical and financial score. The Technical score will be given a weight of 70% of the total score, while the financial score will be given a weight of 30%. The proposal with the highest combined score will be invited for negotiations. Technical Proposals shall receive a minimum score of 70%, to qualify for financial evaluation.

Technical Evaluation

The evaluation criteria include the experience of the proposed team in power projects in Africa, export credit agencies, development finance institutions and the financial proposal.

Specifically, the evaluation criteria will be applied as follows

- | | | |
|---|------------------------------------------------------------------------------------------------------|-----|
| a | Experience in similar transactions of this nature | 35% |
| b | Key professional staff qualifications and competence in the relevant fields of the assignment | 35% |
| c | Understanding of the Terms of Reference and, overall quality of the offer, work plan and methodology | 30% |

Total: **100%**

NOTE: Only firms scoring a mark of 70 points or more will be considered for financial evaluation.

Financial Evaluation

The Financial Proposal with the lowest price, from qualified evaluated technical bids, will be awarded the maximum number of points and the rest of the proposals pro-rated accordingly. The financial proposal shall carry a maximum weight of 30% to the evaluation methodology.

- a) The lowest financial proposal (F_m) shall be given a financial score (S_f) of 100 points.

The financial scores of the proposals shall be computed as follows: **$S_f = 100 * F_m / F_i$**

(F_i = amount of financial proposal converted in the common currency).

The firm with the highest combined score shall be selected for the assignment.