



KADUNA STATE ECONOMIC TRANSFORMATION PROGRAM FOR RESULTS PLANNING AND BUDGET COMMISSION NO 16 MUHAMMADU BUHARI WAY, KADUNA. PROGRAM MANAGEMENT UNIT

EXPRESSION OF INTEREST

Tender Title: Multidisciplinary Consultancy to Support the Framework for Responsible and Inclusive Land Intensive Agricultural Investments (FRILIA) Phase One - Pilot.

Date: 18th November, 2020

Background

Agriculture plays a critical role in the economic development agenda of Kaduna State. To ensure that the land access procedure to support intensive agriculture is carried out sustainably, the Government of Kaduna looks to develop and implement a Framework for Responsible and Inclusive Land Intensive Agriculture – (FRILIA). This aims to ensure that land acquisition and resettlement for large-scale agribusiness investments are undertaken in line with established international good practices and guarantee shared benefits between private investors and surrounding communities. The implementation of FRILIA is also linked to a World Bank Program for Results (PforR) in the state which identifies the implementation of FRILIA as one of the Disbursement Linked Indicators under the program.

FRILIA principles have already been adopted by the Government of Kaduna. These principles build on the Kaduna State Land Use Review of 2018, which is also currently under review. FRILIA principles are targeted at ensuring land access procedures are carried out in a safe, responsive and environmentally and socially responsible manner, with buy-in for all necessary stakeholders, essentially promoting community participation, thereby promoting social license for a sustained growth and development.

Components of FRILIA

The four components of FRILIA Principles include the following:

- i. Overarching investment principles;
- ii. Principles on recognizing and protecting land rights;
- iii. Principles on state land acquisition and resettlement; and
- iv. Principles related to environmental and social sustainability of investments.

Kaduna State Government together with the World Bank, has also developed a FRILIA framework which describes the procedure and the mechanisms for sustainable land acquisition in line with established international good practices. Key critical activities to operationalize and implement FRILIA in Kaduna State include the steps 1 to 4 below for phase one, while the step 5 would be mainly to activate a FRILIA pilot:

1. Operationalization of the FRILIA framework and the development of key tool kits to aid the implementation of FRILIA principles
2. Additional stakeholder engagement with critical stakeholders on FRILIA principles
3. Enactment of FRILIA principles into law as part of land reforms in Kaduna state
4. Training of key government agencies on FRILIA principles
5. Implementation of a successful pilot of FRILIA principles using all the developed toolkits

Objective and Scope of the Consultancy

The Kaduna State Government seeks a consultant to assist the state in the first phase of operationalisation of FRILIA. This phase exercise is to unbundle the core thematic areas of the FRILIA and prepare necessary toolkits and strategies that would ensure seamless implementation. Key activities to be completed by the consultant include:

- Task 1: Development of key toolkits to aid the implementation of FRILIA and engagement with key communities and other stakeholders
- Task 2: Capacity building and training of key government agencies on FRILIA

Task 1: Development of toolkits to aid the implementation of FRILIA principles

The service provider shall work with necessary stakeholders to further analyse the principles and develop all the specified toolkits necessary to implement it. The firm shall also be responsible for ensuring all toolkits developed aligns with existing stakeholder engagement framework, grievance redressal system, environmental and social risk management requirements for adherence to the environmental and social related FRILIA Principles, including the open governance system of Kaduna State. The toolkits to be developed include:

- i. Development toolkits and templates for the valuation and compensation component impacted assets as a result of FRILIA implementation:
 - Review Kaduna state existing valuation rates and recommend an updated valuation rate that is in line with current market realities.
 - Development of Valuation report template and propose a methodology for asset inventory on smallholder farms. This will include the process for enumeration of assets, methodology and data management.
 - Develop a compensation framework: This will include the development of an eligibility framework that shows the eligible persons, category of losses, types of losses and compensations payable based on the FRILIA and in line with Nigerian enactments and other international good industry practices. The consultant will also develop sample compensation sign-off sheets to be used by the state government and investors.
- ii. Land Access, Easement and Involuntary Resettlement Management Strategies and toolkits and templates towards ensuring that land acquired by project under FRILIA follow good international industry practices, in area of sustainable and adequate management of involuntary resettlement, seamless transfer of livelihoods towards livelihoods restoration and improvements as detailed in the Kaduna SESA.
- iii. Development of Stakeholder Engagement Tools and Protocols

<ul style="list-style-type: none"> - Desk review of the stakeholder engagement architecture developed for the Kaduna State Economic Transformation Program for state-wide operations. <ul style="list-style-type: none"> - The consultant would be required to develop survey tools and engagement protocols bespoke to land use management under FRILIA and in line with international best practices. The consultant must obtain informed consent in stakeholder engagement and consultation as outlined in the World Bank Safeguard policies in the development of the toolkits. - Working with all necessary stakeholders, the consultant will develop a Stakeholder Engagement Plan template and a communication strategy for FRILIA implementation. Special emphasis should be on directly impacted entities, gender issues, SEAH/SH, FCV and social conflicts. - The consultant will engage with key communities and other stakeholders to ensure their inputs are incorporated in the development of the other toolkits. 	<p>projects, and to be subjected to further modification after the pilot phase (phase 2). The template shall emphasize the role and the importance of the out-growers in the wider Kaduna State Economic Transformation Program and the FRILIA in particular.</p> <ul style="list-style-type: none"> - Investors Out-growers Plan – The consultant shall be responsible for developing a template that can be adopted by investors to integrate smallholder farmers into their production line. - Development of framework for ensuring Food Security for out-grower communities - The consultant shall be responsible for the developing a framework that ensures that communities involved in the out-growers program have access to adequate and nutritious food year-round. The food security framework document shall contain a sample M&E indicators that can be used to track changes and respond the increasing food challenges in the area, essentially following the increase in the number of the early adopters and the attendant effect in the community food security chain.
<ul style="list-style-type: none"> iv. Development of templates for Global Memorandum of Understanding (GMOU) for communities, investors, government and other development partners: v. Review existing E&S risk management systems/requirements and developing environment and social risk management toolkits to improve KEPA's Environmental and Social due diligence carried out on behalf of the Kaduna State Government. The toolkits should align to the following thematic areas to achieve environmental and social sustainability: <ul style="list-style-type: none"> a. Understanding the environmental and social due diligence fora development project b. Conducting baseline and impact analyses of projects c. Managing project impacts in line with best practice requirements d. Monitoring and evaluation of environmental and social risks and impacts on development projects. vi. Development of bespoke Grievance Redress Mechanism Toolkits for FRILIA- <ul style="list-style-type: none"> - Development of grievance redress procedure - Grievance forms, logbooks and reporting template - Design Institutional framework for grievance management based on FRILA vii. Development of framework for Community Needs Assessment and Development Plans. viii. Development of templates for out-grower models and food security plans <ul style="list-style-type: none"> - Design out-grower model for FRILIA - The consultant will be responsible for the development of an out-grower model / framework which would serve as the template for the implementation of the FRILIA 	<p>Task 2: Capacity building and training of key government agencies on FRILIA</p> <ul style="list-style-type: none"> ix. Training of Project key implementers at the state and local government levels on the application and management of the developed toolkits and templates. At a minimum, the consultant needs to train key MDAs such as the Kaduna State Economic Transformation Program-for-Results; Kaduna State Investment Promotion Agency (KADIPA); Kaduna Geographic Information (KADGIS); Kaduna State Environmental Protection Authority (KEPA); Ministries of: Agriculture, Women Affairs, Finance and Justice; including other agencies deemed relevant, following the stakeholder mapping exercise. <ul style="list-style-type: none"> a. Training and capacity support program should focus on the core FRILIA principles in relations to the four pillars of the framework and the tools designed for the unbundling to ensure that the stakeholders understand the tools in the light if the targeted aim of the principles. b. The training should also be used as an avenue to entrench the new bill/law on land use as it affects FRILIA, emphasizing the role of each of the agencies and the implications based on the new legal provisions. c. All other training requirement in relations to the subject as recommended by the PMU Management Team.

Deliverables and Timelines

The duration for unbundling FRILIA for Phase1 Pilot is 8 months within which the consultancy firm is expected to carry out all of the activities outlined in the scope of work and others as may be required through the Phase 1 pilot

Deliverable	Timeline
Inception Report (The inception report will provide workplan for unbundling FRILIA for Phase 1 Pilot project).	Draft report: 2 weeks after project award; Final report: 1 months after project award.
Deliverable 1: key toolkits to aid the implementation of FRILIA <ul style="list-style-type: none"> i. Valuation and compensation templates ii. Involuntary Resettlement Management Toolkit iii. Stakeholder Engagement Procedures (including Stakeholder engagement activities with key communities and other stakeholders) iv. Global Memorandum of Understanding templates v. Toolkits on the broader Environmental & Social Sustainability of investments in line with the Kaduna State environmental and Social risk management system/requirements vi. Grievance Redress Mechanism Toolkits vii. Framework for Community Needs Assessment and Development Plan viii. Out-grower model and Food Security Frameworks 	Draft of all toolkits: 3 months after project award; Final of all toolkits: 5months after project award.
Deliverable 2: Capacity building and training of key MDAs on FRILIA as highlighted in Task 2.	Months 1 – 3

Pre-Qualification Requirements

Interested consultants should submit but not limited to the following:

- a. Technical experience and qualifications of key personnel with evidence of registration with appropriate professional bodies and evidence of valid practice license.
- b. Evidence of registration of firm with relevant professional body
- c. Evidence of similar verifiable projects successfully executed to completion or on-going.
- d. Any other information that would be relevant.

Qualification, Skills, Knowledge and Competencies

Team Composition, Education and Minimum Experience

The Consultancy team should be formed of a Principal Consultant who leads the team, and other Senior Consultants with Specialties in each practice areas.

Team Lead:

Experience: The team should be led in the minimum by a principal level consultant with at least 20 years' experience with specialties in areas such as land access, land easement and involuntary resettlement, multiple stakeholder engagement, grievance management, livelihoods restoration and improvement, food security and participatory development in general. The principal should possess extensive experience implanting sustainable projects across Africa, essentially on agriculture and /or other land-based livelihoods activities. Essentially, the skill sets must include extensive knowledge and experience of international best practices on environmental and social sustainability. Also have working knowledge of international best practices in sustainable land use, administration and planning, preferably in line with IFC PS5, WB ESS5 or EBRD PR5 and requisite local and national laws across Africa.

Education: Minimum of Masters' degree in any of: Sustainable Development, Sociology, Law, Agriculture Economics Estate Management, Natural Resources Management or Urban and Regional Planning.

Specialist Consultants

The selected team would have specialist consultants to lead each of the core practice areas in unbundling of FRILIA. The specialist would include and environmental and social specialist with experience in ESME, RPF, RAP and LRF, Nigerian Land Laws, World Bank Safeguard policies and essentially the cultural realities of FRILIA implementation areas.

- Minimum of master's degree in relevant fields related to each of the core areas on the scope of the assignment.
- Minimum of 10 years working experience in the core areas of the scope of work as a Senior consultant
- Working knowledge of national policies as it relates to the specialist areas represented.

General Knowledge

- Demonstrated experience and excellent knowledge of the World Bank Environmental and Social safeguard policies especially with land acquisition and involuntary resettlement such as the IFC PS or the FAO VGGT and CFS RAI;
- Excellent knowledge of the Nigerian Land Use Act 2004 and other state regulations related to land administration and management.

Required Competencies

- Experience of the last 5 years to include core responsibilities in developing policies, templates and toolkits in the core areas above, related to sustainable land use;
- Demonstrated expertise in all the core areas under the scope of work.
- Experience working with government agencies in African settings, especially Nigeria;
- Demonstrated experience in carrying out stakeholder consultations and organizing training workshops/seminars on social discourse;
- Experience working with multi- lateral development agencies and /or NGOs;
- Fluency in English is required for all team members;
- Working knowledge of local language is desirable;
- Excellent interpersonal, problem-solving, diplomacy and team management skills, and the ability to work with a range of stakeholders to effectively negotiate and build consensus to achieve constructive outputs;
- High level of personal integrity and ethical standards, with demonstrated ability to handle confidential matters in a discreet and respectful manner.

SUBMISSION OF BIDS

1. All submissions should be made online via the KADPPA e-procurement portal <http://kadppa.eprocurement.ng> addressed to:

**The Program Manager
Kaduna State Economic Transformation Program for Results
No 16 Muhammadu Buhari Way
Kaduna.**
2. The EOI Document should bear the name and contact number of Bidder. The "Project Description" clearly marked.

OPENING OF BIDS

The EOI Document received shall be opened immediately after the close of receipt of bids on the portal.
Only shortlisted/qualified consultants will be invited to submit technical and financial proposals.

GENERAL NOTICE

- a) Only the bids that meet the pre-qualification requirements shall be considered.
- b) This advertisement shall not be construed as contract award or any commitment on the part of the Kaduna State Government or its Agency/Agents; nor shall it entitle any company/firm to make any indemnity from the Kaduna State Government or any of its Agencies/Agents by virtue of such company/firm having responded to this advertisement.
- c) Response to this advertisement does not oblige the Kaduna State Government or its Agencies/Agents to consider responding company/firm's bid.
- d) The Client reserves the right to accept any Bid, annual the Bid proceedings, or to reject any or all bids at any time prior to Contract Award, without thereby incurring any liability, or any obligation to inform Bidders of the grounds for the action.
- e) Late submission will be rejected.
- f) EOI documents not submitted through the portal will not be accepted.
- g) All submissions must be made in English Language

The deadline for the submission of tenders is 2nd December, 2020 at 12 noon Nigerian Time.

**Signed
Program Manager
Kaduna State Economic Transformation Program for Results
No 16 Muhammadu Buhari Way, Kaduna**