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### **Terms of Reference**

**Ref: PN/FJI/060/19**

<b>Consultancy Title:</b> Land-use Rights National Consultant
<b>Project Name:</b> Reimaanlok – Looking to the Future: Strengthening natural resource management in atoll communities in the Republic of Marshall Islands employing integrated approaches (RMI R2R)
<b>Duty Station:</b> Majuro, Republic of Marshall Islands.
<b>Duration of the Contract:</b> This consultancy will be for <b>35 days</b> spanning between <b>October 2019</b> and <b>November 2019</b> . The national consultant will be home based.  <b>Consultancy Proposal (CV &amp; Financial proposal Template ) should be uploaded on UNDP Jobshop website no later than, 27<sup>th</sup> September 2019 (Fiji Time) clearly stating the title of consultancy applied for. Any proposals received after this date/time will not be accepted. Any request for clarification must be sent in writing, or by standard electronic communication to <a href="mailto:procurement.fj@undp.org">procurement.fj@undp.org</a>. UNDP will respond in writing or by standard electronic mail and will send written copies of the response, including an explanation of the query without identifying the source of inquiry, to all consultants. Incomplete, late and joint proposals will not be considered and only offers for which there is further interest will be contacted. Failure to submit your application as stated as per the application submission guide (Procurement Notice) on the above link will be considered incomplete and therefore application will not be considered.</b>  <b><u>NOTE:</u></b> <b>Proposals must be sent through UNDP job shop web page. Candidates need to upload their CV and financial proposal -using UNDP template</b>  <i>If the selected/successful Candidate is over 65 years of age and required to travel outside his home country; He/She will be required provide a full medical report at their expense before the commencement to the travel.</i>

### **Objective:**

The objectives of this consultancy are:

- Co-facilitate a study on the land rights issues in the Marshall Islands in the context of strengthening community-driven resource management to support sustainable management of natural resources. For the purpose of this work, the study will be piloted in the Majuro and Laura communities collaborating with the RMI Regional R2R: IW project.
- Support international consultant on the development of a culturally-led land-use and enforcement arrangements that promotes Community driven natural resource management
- Consolidate lessons learned of pilot implementation of the enabling land use arrangements into case study reports.

### **Background**

The Republic of Marshall Islands (RMI) consists of 870 reef systems reaching up from 2.1 million km<sup>2</sup> of the vast deep Central Pacific Ocean. Upon these reef systems are 29 coral atolls and 5 low-lying islands, respectively 22 and 4 of which are inhabited. As a Small Island Developing State (SIDS), it has a strong dependence on natural resources and

biodiversity for food and income. The Marshallese relationship with the islands forms the basis of its culture and way of life which has developed in harmony over thousands of years. In the face of global threats, RMI still has pristine waters and coral reefs that contribute to ecosystem services and livelihoods. In recognition of the importance of its natural assets, RMI together with other SIDS responded to global conservation targets through the Micronesia Challenge and specifically for its part, it prepared Reimaanlok to serve as a clear roadmap of the way forward.

As such, the Global Environment Facility (GEF) committed US\$3.9million under the Ridge to Reef Project to support Government of Marshall Islands operationalize the Reimaanlok – the National Conservation Area Plan, adopted in 2008 to effectively conserve at least 30% of the nearshore marine resources and 20% of the terrestrial resources across Micronesia by 2020. The project objective is to sustain atoll biodiversity and livelihoods by building community and ecosystem resilience to threats and degrading influences through integrated management of terrestrial and coastal resources.

With GEF financing, the project is expected to expand and sustain RMI protected area network, focusing on the implementation of protected area network (PAN) and thus contributing to the Micronesia Challenge and Aichi targets. As natural resource management is very much interlinked with the outer island residents, improved ecosystem management also contributes towards strengthening climate resilience and community-based adaptation.

Strengthening community-based management structures recognizing traditional ownership of resources (land, coastal, etc) and local-national arrangements to enable communities to take ownership and leadership in the formulation and implementation of integrated management plans is imperative. In the RMI, land rights are highly complex as titles distributed through the family lineage and traditional Marshallese social structure.

The integrated community driven natural resource plans developed under the Reimaanlok process will require land-use arrangements that encourage ecological connectivity and economies of scale for sustainable use of ecosystem goods and service, and implementation of community-based adaptation measures.

The national consultant will work with the international consultant in developing the study approach. At the end of the work he/she will compile lessons learned into a case study report.

#### Scope of work/Expected Output

In doing this work, the national consultant will co-facilitate a landuse study in RMI, support the formulation and implementation of a culturally appropriate land-use and enforcement arrangements, that will be documented as a guideline and be adapted by other outer island communities, and consolidate lessons learnt into case study report. the consultant is expected to work with the local counterparts including that Traditional Rights Court, Historic Preservation Office (HPO), Council of Iroj (Chiefs), Mayors, Coastal Management Advisory Council (CMAC), Civil Society Organization and community representatives to:

**Deliverable 1:** Co-facilitate study with the International Consultant on land rights issues in the RMI in the context of community driven natural resource management,

**Deliverable 2:** Support the international consultant in the formulation and implementation of a culturally appropriate land-use and enforcement arrangements, for community driven natural resource management.

**Deliverable 3:** Consolidate lessons learnt from this work into a case study report.

#### Expected Output and Deliverables

The expected deliverables from this consultancy are outlined in the table below:

No.	Deliverables/Outputs	Estimated Duration to Complete	Estimated Timeline	Location
1	a) Meeting stakeholders and prepare for national consultation and landuse study in Majuro	3 days	21-23 October 2019	Majuro

	b) Conduct literature review of similar work in the region and/or global and adopt into the RMI context.			
<b>Deliverable 1: Conduct Land Rights Study</b>				
2	a) Conduct consultation workshop for local counterparts in government, NGOs, CSOs, all mayors or their proxies, Council of Iroij (chiefs), community representatives on the said work.	2 days	24-25 October 2019	Majuro
	b) Conduct study in Majuro and Laura communities	5 days	28 Oct-1Nov. 2019	
<b>Deliverable 2: Support formulation of culturally appropriate Land-Use and Enforcement Arrangements</b>				
3	a) Compiling study outcome and develop land use arrangements and preparation for final consultation workshop.	3 days	4-6 Nov. 2019	
	b) Consultation workshop to: <ul style="list-style-type: none"> <li>i. Present the findings on land rights issues for discussions with counterparts</li> <li>ii. Present the tools/approach used in the study for replication to outer islands</li> <li>iii. Recommendations: How the study is vital to the Reimaanlok and integrated resource management</li> <li>iv. Propose land-use arrangement that supports community driven natural resource management.</li> </ul>	1 day	7 November	
5	Consolidate lessons learnt into case study reports.	21days	29 November 2019	

#### Supervision/Reporting

The incumbent will work with the International consultant under the guidance of the Project Manager, RMI R2R Project while seeking inputs from the Director of OEPPC<sup>1</sup> Deputy Team Leader, RSD at the UNDP Pacific Office in Suva and the Regional Technical Advisor (RTA) in Bangkok.

All deliverables will be approved by the Director OEPPC and Project Manager before payment is made to the consultants.

The consultant will be provided with a working space from the PIU office, OEPPC and is expected to provide own computer.

#### Requirement for Qualifications & Experience

##### Qualifications:

- Minimum Master's degree in Land Management and/or Land -Use Planning, Social Science or relevant field. **Experience:**
- Minimum of 5 years of demonstrable experience in undertaking land-use study and development of land-use arrangements that supports natural resource management.
- A land-use lawyer is desirable with experience in undertaking similar work and have a good

<sup>1</sup> Office of the Environmental Planning and Policy Coordination

understanding of Land-Use related legislations.

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- Minimum 2 years experience undertaking similar work in the RMI and/or in the region.
- Proven experience in establishing good working relationships with a broad range of stakeholders (local communities, government, private sector, financial institutions, civil society, NGOs, etc.)
- Previous experience in supporting community-based conservation and participatory processes is desirable.
- Knowledge on and work experience in the Pacific advantageous.
- Demonstration of Strong networks amongst government, NGO's and other stakeholders
- Previous experience undertaking similar consultancies for development agencies including UNDP
- Ability to operate in different cultural settings and with variety of stakeholders who are culturally sensitive.

**Language Requirements:**

- Fluency in English and Marshallese- both written and oral.

**Compliance with UN Core Values:**

- Demonstrates integrity by modelling UN values and ethical standards
- Promotes the vision, mission and strategic goal of UNDP
- Displays cultural, gender, race, nationally and age sensitivity and adaptability
- Treats all people fairly and without favoritism

**Evaluation**

Cumulative analysis

The proposals will be evaluated using the cumulative analysis method with a split 70% technical and 30% financial scoring. The proposal with the highest cumulative scoring will be awarded the contract. Applications will be evaluated technically, and points are attributed based on how well the proposal meets the requirements of the Terms of Reference using the guidelines detailed in the table below:

When using this weighted scoring method, the award of the contract may be made to the individual consultant whose offer has been evaluated and determined as:

- a) responsive/compliant/acceptable
- b) having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.

\* Technical Criteria weighting; 70%

\* Financial Criteria weighting; 30%

Only candidates obtaining a minimum of 49 points in the Technical Evaluation would be considered for the Financial Evaluation. Interviews may be conducted as part of technical assessment for shortlisted proposals.

<b>No</b>	<b>Evaluation Criteria</b>	<b>Points</b>
<b>1</b>	Minimum Master's degree or higher in Landuse Planning and Management, Landuse Law or related field;	10%
<b>2</b>	At least 5 years of demonstrable experience in conducting land-rights study in the context of community driven natural resource management.	15%
<b>3</b>	Demonstrable experience in the formulation of culturally-appropriate land use enforcement arrangements that promotes community resilience.	15%
<b>4</b>	Proven experience in establishing good working relationships with a broad range of stakeholders (local communities, government, private sector, financial institutions, civil society, NGOs, etc.)	15
<b>5</b>	Previous experience in supporting community-based conservation and participatory processes	15

	<b>Total Technical Evaluation</b>	70%
	**If necessary, interviews shall also be conducted as part of the technical evaluation to ascertain best value for money.	
	<b>Financial Criteria – Lowest Price</b>	30%
	<b>Total</b>	100%

**Payment Schedule:** All payments will be authorized by the Deputy Team Leader RSD, UNDP Pacific Office in Fiji in close consultation with the Director of OEPPC, Project Manager and Deputy Project Manager of the project.

<b>No.</b>	<b>Deliverables/Outputs</b>	<b>Estimated Timeline</b>	<b>Amount (%)</b>
<b>1</b>	Signing of contract and submission of workplan	14 Oct. 2019	20%
<b>2</b>	Land-use study in the RMI on land rights issues in the context of community driven natural resource management conducted.	1 Nov. 2019	30%
<b>3</b>	Culturally appropriate land-use and enforcement arrangements that promotes ecosystem resilience conducted	7 Nov. 2019	30%
<b>5</b>	Consolidate lessons learnt into case study reports	29 Nov. 2019	20%

#### **Proposal Submission**

**Offerors must apply through UNDP Job shop and upload the following mandatory documents.**

- i) Signed CV including names /email contacts of at least 3 professional referees.
- ii) Cover letter setting out: A statement of how the applicant meets the qualifications and experience requirements.
- iii) Completed template for confirmation of Interest and Submission of Financial Proposal

Applicants must send a financial proposal based on a Lump Sum Amount. The total amount quoted shall be all-inclusive and include all costs components required to perform the deliverables identified in the TOR, including professional fee, travel costs, living allowance (if any work is to be done outside the Individual Consultant's duty station) and any other applicable cost to be incurred by the Individual Consultant in completing the assignment. The contract price will be fixed output-based price regardless of extension of the herein specified duration. Payments will be done upon completion of the deliverables/outputs.

In general, UNDP shall not accept travel costs exceeding those of an economy class ticket. Should the Individual Consultant wish to travel on a higher class he/she should do so using their own resources.

In the event of unforeseeable travel that is not anticipated in this TOR, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective UNDP business unit and the Individual Consultant, prior to travel and will be reimbursed.

*Detailed Terms of Reference and Template for confirmation of interest and Submission of Financial Proposal is available under the procurement section of UNDP Pacific Office in Fiji*

website (<http://www.pacific.undp.org/content/pacific/en/home/procurement.html>)

**Women candidates are encouraged to apply**

**Interested Candidates must accept UNDP General Terms and Conditions for Individual Consultants**

*Successful candidate will be required to complete the BSAFE course prior to undertaking any travel related to this consultancy ( online security awareness training). <https://training.dss.un.org/course/category/6>*

