



TERMS OF REFERENCE

FOR INTERNATIONAL SPECIALIST CONSULTANT

POST TITLE:	<u>International Consultant</u> to undertake activities related to the development of guidance and regulations for implementation of the NSLUP, IC/PNG/056-2022
AGENCY/PROJECT NAME:	United Nations Development Programme (UNDP) / Establishing Systems for Sustainable Integrated Land-use Planning across New-Britain Island in Papua New Guinea (GEF-FOLUR)
COUNTRY OF ASSIGNMENT:	Papua New Guinea
LOCATION OF ASSIGNMENT:	Missions to Port Moresby, West New Britain Province and East New Britain Provinces (50%); Homebased (50%)
DURATION OF ASSIGNMENT:	60 days over a 4-month period (Home Based – 30 working days & POM – 30 working days)
STARTING DATE:	25 October 2022

1) GENERAL BACKGROUND

The GEF-FOLUR Project

The project, Establishing Systems for Sustainable Integrated Land-use Planning across New-Britain Island in Papua New Guinea, funded by GEF-FOLUR, in the Independent State of Papua New Guinea (PNG) will focus activities on the landscape of New Britain Island. At 3,330,890 ha, the island ranges from dense lowland plains to a central mountainous spine with peaks of over 2,000 m. With high levels of forest cover the island represents an area of high value biodiversity but is also at threat from rapid forest loss due to agricultural conversion with over 450,000 ha under permits for forest clearance. This pressure is driven by PNG's socio-economic status, which includes a desire for economic development and income, rapid population growth and the high importance of agriculture in PNG's economy, particularly palm oil and cocoa. These impacts are exacerbated within the agricultural sector due to knowledge gaps in sustainable production, prevalence of unsustainable practices, unresponsive supply chains and limited access to finance.

In addressing these barriers, the project will help to deliver: 50,000 ha of land restored, 2,712,364 ha of landscapes under improved practices (excluding protected areas), 32.3 million metric tons CO₂e of direct post-project. The project will also deliver direct economic and/or non-economic benefits to 66,647 individuals (28,838 females and 37,809 males). These results will be achieved through the following four interrelated components:

- Component 1: Development of integrated landscape management systems
- Component 2: Promotion of sustainable food production practices and responsible value chains to reduce land stress and avert degradation and deforestation
- Component 3: Conservation and restoration of natural habitats
- Component 4: Knowledge management and impact monitoring

Development of guidelines and regulations for implementation of the NSLUP

Output 1.1 of the Project will focus on establishing the regulatory and operational foundation to implement the newly developed National Sustainable Land Use Planning (NSULP) Policy. By providing this base for land use decision making, including full integration of this with permitting processes and sector plans will help to guide stronger regulatory enforcement and in improve policy coherence as better land use management is incentivized and clearer information on bottom up planned land uses becomes available.

As such, the **Land-Use Management Specialist** consultancy is needed to support the development of National regulations and guidance documents to guide how the NSLUP will be implemented – these will create the framework for the implementation of the NSLUP and will link with existing frameworks for land use planning as well as those for development planning in particular those laid out under the PNG Planning and Monitoring Responsibility Act. As part of this, a review the existing legislations is required to identify how to coordinate sector-based approaches to land use planning and how to integrate with subnational planning process and how these can be finance. Additionally, it is necessary to review the existing land use planning approaches through government / NGOs / PS / Communities and challenges/ opportunities to foster integration within government’s recognized land use planning processes including identification of key zoning categories and their implications.

2) OBJECTIVES OF THE ASSIGNMENT

The main objective of the **Land-Use Management Specialist** consultancy is to provide support to the development of guidelines and regulations for implementation of the NSLUP Policy.

The specific objectives of this consultancy are as follows:

- Review the existing legislations to identify how to coordinate sector-based approaches to land use planning and how to integrate with subnational planning process and how these can be financed
- Review the existing land use planning approaches through government / NGOs / PS / Communities and challenges/ opportunities to foster integration within government’s recognized land use planning processes including identification of key zoning categories and their implications
- Develop guidance and regulations for Ward, LLG, District, Provincial sustainable land use planning and its financing.

3) SCOPE OF WORK

Under supervision of the UNDP Chief Technical Advisor and the National Technical and Safeguards Officer of the GEF-FOLUR Project, the specific tasks to be undertaken by the **Land-Use Management Specialist** are, but not limited to:

1. Participate in an inception meeting with UNDP and Department of Lands and Physical Planning (DLPP) to clarify the objectives of the consultancy, tasks, deadlines and logistical schedule. The results of the meeting should be captured in an inception report, which should be formally approved by UNDP and DLPP before proceeding.
 - a. The Project will provide all documents on land use management within its possession to assist with the inception process.
2. Facilitate a short workshop with DLPP to present the methodological approach for reviewing existing legislation and land use planning approaches (providing examples), as well as developing guidance and regulations for the implementation of the NSULP Policy.
3. Engage with assigned Government Officers at DLPP to gather data on land issues and the NSULP Policy.
 - a. Review all relevant legislation to identify how to coordinate sector-based approaches to land use planning and

how to integrate with subnational planning process.

- b. Consider financing options for land use planning.
 - c. Provide capacity building training and mentoring for DLPP Officers, as well as Project staff.
4. Conduct sites visits to interview Local Authorities, relevant NGOs and Communities in East New Britain Province and West New Britain Province in order to gather data:
 - a. Review the existing land use planning approaches through local government / NGOs / PS / Communities and challenges/ opportunities to foster integration within government's recognized land use planning processes including identification of key zoning categories and their implications.
 - b. Ensure a participatory methodology of data gathering with all stakeholders due to the sensitivity related land use planning and customary land rights.
 - c. Provide capacity building training and mentoring for relevant Provincial Authorities and Communities.
5. Based on data gathered from the central and provincial levels, preparation and submission of a report detailing the data gathered on existing legislation and land use planning approaches to be reviewed and approved by UNDP and DLPP.
 - a. Ensure that data is triangulated between stakeholders to avoid any misinformation.
6. Draft guidance and regulations for Ward, LLG, District, Provincial sustainable land use planning and its financing.
 - a. Guidance and regulations will provide the roadmap / strategy for DLPP to implement its NSLUP Policy at the selected pilot sites in East and West New Britain Provinces
7. Submission of working draft guidance and regulations to UNDP and DLPP for review and preliminary approval.
 - a. A short workshop/meeting to present working draft guidelines and regulations to DLPP.
8. Conduct sites visits to East New Britain Province and West New Britain Province to validate drafted rules and regulations.
 - a. Facilitate 2 workshops with Local Authorities, relevant NGOs and Communities in East New Britain Province and West New Britain Province.
 - b. Utilize results of Provincial workshops to make edits to working draft of guidance and regulations.
9. Facilitate a final workshop in Port Moresby with DLPP and other Project Stakeholders for a final validation of the working draft.
10. Preparation and submission of the final draft of guidance and regulations for Ward, LLG, District, Provincial sustainable land use planning and its financing.
 - a. To be reviewed and approved by UNDP and DLPP.

4) DURATION OF ASSIGNMENT, DUTY STATION AND EXPECTED PLACES OF TRAVEL

This is an 60-day (over a 4-month period) consultancy service, starting from 17 October 2022. The **Land-Use Management Specialist** is expected to be on mission to Papua New Guinea (Port Moresby, West New Britain Province and East New Britain Province) for at least 50% of the consultancy and Homebased for the remainder of time in close consultation with the UNDP PNG Country Office, the GEF-FOLUR Project Management Unit and the Project Implementation Partner of the Government of PNG (CEPA).

The **Land-Use Management Specialist** will also work closely with the UNDP Chief Technical Advisor, the National Technical and Safeguards Officer and relevant Government of PNG officers at provincial target areas.

5) FINAL PRODUCTS

Output 1: *Submission of a methodology and workplan* within one week after the contract is signed. The methodology and workplan should provide proposed activities and timeframe to complete the tasks and achieve outputs.

- (i) The methodology and workplan should be for **60 days** only and include:
- (ii) Detail of activities to be completed over the 6-month period.

- (iii) Detail the missions to PNG for at least 50% of the consultancy period; it is expected there will be two separate missions to East and West New Britain Island after the inception to gather data and towards the end of the consultancy to validate findings.
- (iv) Methodology and workplan to be approved by the CTA.

Output 2: *Submission of short report for the Consultancy Inception Meeting* with UNDP, CEPA and other Project Stakeholders.

- (i) At the inception meeting, present the objectives of the consultancy, tasks, deadlines and logistical schedule as detailed in the methodology and workplan report.
- (ii) Presentation of Power Points (as many as necessary) during the Project Inception Meeting
- (iii) Submission of short report detailing the Inception workshop and any issues that may have been brought up during the meeting.
- (iv) Report to be approved by the CTA and representative from DLPP.

Output 3: *Submission of Field Mission Report* from East and West New Britain.

- (i) Prior to engaging in field mission, an agenda detailing dates, locations and stakeholders must be prepared and agreed upon by UNDP and DLPP.
- (ii) Participatory methodology of meeting with provincial government, communities and other stakeholders must be engaged.
- (iii) Report with appropriate annexes to detail the results of data gathering, meetings held with participants of meetings, outcomes of meetings and any important findings.
- (iv) Report to be approved by the CTA and representative from DLPP.

Output 4: *Submission of working draft guidance and regulations* to UNDP and DLPP.

- (i) Based on data gathering from the central and provincial levels, the consultant will agree upon the guidance and regulations that will need to be developed with UNDP and DLPP.
- (ii) Guidance and regulations will provide the roadmap / strategy for DLPP to implement its NSLUP Policy at the selected pilot sites in East and West New Britain Provinces.
- (iii) Draft guidance and regulations to be presented to DLPP and other relevant stakeholders at the central level at a small workshop for review and preliminary approval of working drafts.
- (iv) Preliminary working drafts to be approved by the CTA and representative from DLPP.

Output 5: *Submission of Provincial Workshop Validation Reports* from East and West New Britain Islands

- (i) Facilitate 2 workshops with Local Authorities, relevant NGOs and Communities in East New Britain Province and West New Britain Province.
- (ii) Reports with appropriate annexes to detail the results of validation workshops and any important findings.
- (iii) Utilize results of provincial workshops to make edits to working draft of guidance and regulations.
- (iv) IPP to be approved by the CTA.

Output 6: *Submission of Final National Validation Workshop Report with final drafts of guidance and regulations* for Ward, LLG, District, Provincial sustainable land use planning and its financing.

- (i) Preparation and facilitation of a workshop on the final drafts of guidance and regulations DLPP and other relevant stakeholders at the central level
- (ii) The venue/location of the workshop will be held in Port Moresby
- (iii) Submission of short report detailing workshop, validation approval of the guidance regulations for implementation of the NSLUP Policy at the provincial level, as well as any issues that may have been brought up during the workshop; the presentations to be included as annexes.
- (iv) Final drafts of guidance and regulations for Ward, LLG, District, Provincial sustainable land use planning and its financing based on the results of the final validation workshop.
- (v) Final workshop report to be approved by the CTA and representatives of DLPP.

6) PROVISION OF MONITORING AND PROGRESS CONTROLS

The **Land-Use Management Specialist** will report/communicate the UNDP Chief Technical Advisor and when possible, provide direct briefing and updates on the progress to the Director of Sustainable Environment Programme in CEPA and the appropriate authorities at DLPP. The consultant is required to have regular meetings to report on the progress with the Project Management Unit.

7) DEGREE OF EXPERTISE AND QUALIFICATIONS

Education and background:

- Minimum Master's degree in land use management and planning, environment, natural resource management, geography, sociology, economics, development, or a closely related field.

Experience and competencies:

- Minimum of five (5) seven years of experience related to land use management and planning, participatory land use planning, environment, sociology, economics, development, or a closely related field in an international development context; previous experience in supporting UNDP will be an added advantage;
- Expert knowledge of customary land rights (including human rights-based approach); knowledge gender analysis with matrilineal land use systems is highly desirable;
- Demonstrated knowledge of developing strategic guidance and regulations related to the implementation of land use management policy.
- Experience working with indigenous peoples (including participatory methodologies / Free, Prior and Informed Consent)
- Demonstrated knowledge of sustainable development environmental management issues, and other related sustainable human development issues.

The following criteria shall serve as basis for evaluating offers:

Combined Scoring Method:

- Where the qualifications and methodology will be weighted a maximum of 70% and combined with the price offer which will be weighted a maximum of 30%

Technical Evaluation of Proposals:

- All applications comprising the information/documentation provided will be evaluated to ascertain the suitability of the applicants to carry out the assignment. Candidates who obtain the minimum of 49 points of the full mark (70 points) will be considered technically compliant and their financial evaluations will be evaluated thereafter. Applications will be scored as per the following breakdown (Total 70 points):

	Technical Evaluation	Points (70)
1	Education / background: <ul style="list-style-type: none">• Minimum Master's degree in land use management and planning, environment, geography, sociology, economics, development, or a closely related field.	15
2	Experience and competencies of the candidate: <ul style="list-style-type: none">• Minimum of Five (5) years of experience related to land use management and planning, participatory land use planning, environment, sociology, economics, development, or a closely related field in an international development context; previous experience in supporting UNDP will be an added advantage;• Expert knowledge of customary land rights (including human rights-based approach); knowledge gender analysis with matrilineal land use systems is highly desirable;• Demonstrated knowledge of developing strategic guidance and regulations related to the implementation of land use management policy.• Experience working with indigenous peoples (including participatory methodologies / Free, Prior and Informed Consent)• Demonstrated knowledge of sustainable development environmental management issues, and other related sustainable human development issues.	20 20 10 3 2
	Total	70

Documents to be included when submitting Consultancy Proposals

The following documents may be requested:

- Duly executed **Letter of Confirmation of Interest and Availability** using the template provided by UNDP;
- **P11 form** using template provided by UNDP which indicates all past experience from similar projects, as well as the contact

details (email and telephone number) with at least three (3) professional references;

- **Technical proposal** outlining the proposed methodology and approach for completing all the tasks outlined in the TOR.
- **Financial Proposal** that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided. If an Offeror is employed by an organization/company/institution, and he/she expects his/her employer to charge a management fee in the process of releasing him/her to UNDP under Reimbursable Loan Agreement (RLA), the Offeror must stipulate that arrangement at this point, and ensure that all such costs are duly incorporated in the financial proposal submitted to UNDP.

8) REVIEW TIME REQUIRED

Payment schedule will be on an agreed output-basis. The UNDP / GEF-FOLUR Project require at least two weeks for review and approval of delivered outputs before issuing payments.

9) SCOPE OF BID PRICE AND SCHEDULE OF PAYMENT

Lump-sum contracts

The financial proposal shall specify a total lump-sum amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables (i.e. whether payments fall in instalments or upon completion of the entire contract). Payments are based upon output, i.e. upon delivery of the services specified in the TOR. In order to assist the requesting unit in the comparison of financial proposals, the financial proposal will include a breakdown of this lump-sum amount (including travel [see below], living expenses, and number of anticipated working days).

Travel

All international travel costs and arrangements must be included in the financial proposal. This includes all travel to join duty station/repatriation travel. In general, UNDP should not accept travel costs exceeding those of an economy class ticket; should the IC wish to travel on a higher class, they should do so using their own resources.

All local travel costs and arrangements, within Papua New Guinea will be covered and organized by the Project.

In the case of unforeseeable travel, payment of travel costs including tickets, lodging, and terminal expenses should be agreed upon, between the respective business unit and Individual Consultant, prior to travel and will be reimbursed.

Deliverables/Description of payment	Deliverable timeframe
10% of the professional fees shall be paid upon submission and acceptant of below outputs: 1. Output 1: <i>Submission of a methodology and workplan</i> within one week after the contract is signed. The methodology and workplan should provide proposed activities and timeframe to complete the tasks and achieve outputs.	Within 5 days after signing the contract.
10% of the professional fees shall be paid upon submission and acceptant of below outputs: 2. Output 2: <i>Submission of short report for the Consultancy Inception Meeting</i> with UNDP, CEPA and other Project Stakeholders.	Within 3 weeks after signing the contract.
20% of the professional fees shall be paid upon submission of below outputs: 3. Output 3: <i>Submission of Field Mission Report</i> from East and West New Britain.	Within 1.5 months after signing the contract.
20% of the professional fees shall be paid upon submission of below outputs: 4. Output 4: <i>Submission of working draft guidance and regulations</i> to UNDP and DLPP.	Within 2.5 months after signing the contract.
20% of the professional fees shall be paid upon submission of below outputs: 5. Output 5: <i>Submission of Provincial Workshop Validation Reports</i> from East and West New Britain Islands	Within 3 months after signing the contract.
20% of the professional fees shall be paid upon submission of below outputs: 6. Output 6: <i>Submission of Final National Validation Workshop Report with final drafts of guidance</i>	Within 4 months after signing the

10) PRESENCE OF THE CONSULTANT ON DUTY STATION

If the assignment requires full time presence on UNDP premises, a sound justification on why a full time presence is required.

☐ NONE x PARTIAL ☐ INTERMITTENT ☐ FULL-TIME

Completed proposals should be submitted to procurement.png@undp.org , no later than 18 October 2022. For any clarification regarding this assignment please write to procurement.pg@undp.org

Please be guided by the instructions provided in this document above while preparing your submission.

Incomplete proposals and failure to comply with proposal submission instruction may not be considered or may result in disqualification of proposal.

UNDP looks forward to receiving your Proposal and thank you in advance for your interest in UNDP procurement opportunities.

Approved by:

Edward Vrkic
Head of the Environment Portfolio, and
Senior Adviser – Climate Change
Date: