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**Republic of Malawi Blantyre Water Board Blantyre City Council**

**MALAWI WATER AND SANITATION PROJECT-1**

**(MWSP-1)**

**TERMS OF REFERENCE:**

**CONSULTANCY SERVICE FOR RESETTLEMENT ACTION PLAN FOR PRIORITY SEWERAGE INVESTMENTS IN BLANTYRE CITY**

**PROCUREMENT REFERENCE: MW-BWB-445520-CS-QCBS**

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# **INTRODUCTION**

## **Background Information**

The Government of Malawi (GoM) is committed to providing adequate, reliable and sustainable water and sanitation services to the urban, peri-urban, towns and rural population of Malawi to meet the ever-increasing demand for safe water for domestic, institutional, industrial, commercial and agricultural use. One focus area is Blantyre City, which currently faces several challenges related to water supply and sanitation services delivery. Some of the challenges include high population growth, dwindling water resources, climate change, lagging infrastructure development and aging water and sanitation systems with high levels of non-revenue water creating large gaps between supply and demand, leading to unreliable services. The current water and sanitation situation in the city is alarming, which calls for comprehensive measures that will bring about sustainable and reliable improved services.

GoM through Blantyre Water Board (BWB) and Blantyre City Council (BCC) with financial support from the International Development Agency (IDA) of the World Bank intends to implement the Malawi Water and Sanitation Project-1 (MWSP-1). The MWSP-1 seeks to address the immediate and medium-term water and sanitation needs and support a long-term solution to Blantyre City’s growing demand for improved water services and safely managed sanitation services. The project aligns with Malawi’s development goals as well as strategic plans for the BWB and BCC The project is consistent with the Government's priorities, as it directly aligns with Malawi's commitment to improving urbanization as stipulated in the Malawi 2063.

## **Project Developmental Objectives and Components**

The project development objective (PDO) is to increase access to improved water supply and safely managed sanitation services in Blantyre metropolitan area and to enhance the operational and financial efficiency of the Blantyre Water Board. The PDO will be achieved through development and rehabilitation of water and sanitation infrastructure for Blantyre City and surrounding areas so that the city has adequate and reliable potable water supply with adequate pressure and safely managed improved sanitation services. The project focuses on four components that contribute to the achievement of the PDO.

*Component 1: Water supply improvements*

Under this component, the project will finance investments to improve water production, stabilize and improve network operational efficiency, reduce water losses, increase energy efficiency, improve water supply service quality, and expand water access to unserved areas, increasing energy efficiency, and boosting water access.

*Component 2: Priority sanitation investments*

This component (which is the object of the current ToRs) involves several interventions to increase access to improved sanitation services and reduce environmental pollution that has public health impacts.

*Component 3: Institutional capacity strengthening*

This component will finance a set of institutional development activities aimed at enhancing BWB's financial efficiency and governance systems, improving BCC's capacity to manage sanitation services and supporting the water sector investment planning and policy development to enhance the sustainability of urban water services.

*Component 4: Technical Assistance and Project Management Support*

This component will finance TA activities designed to support the project implementing unit and the incremental operating costs for project management, including safeguards, communications, and project monitoring and evaluation. The project will also finance relevant training to enhance financial management, procurement, and safeguards capacity for the implementing entities.

## **Environmental and Social Management Framework**

The Environmental and Social Management Framework (ESMF) for the (MWSP-1) was prepared by BWB and BCC which necessitates that after subprojects have been identified and specific sites identified, environmental and social due diligence should be conducted to eliminate or reduce both environmental and social negative impacts. This is in line with the Environmental Management Act (EMA) 2017 which stipulates that an environmental and social assessment is required for certain types of activities before their implementation depending on the size and location of the project and the activities to be undertaken.

## **Description of the study Area**

Blantyre is the main commercial city of Malawi and according to the 2018 population census, the City of Blantyre had a total population of 853,500 people, with an average growth rate of 2.8% per annum. In addition to serving this population, Blantyre City Council (BCC) provides sanitation services to some areas outside the city boundaries with an estimated population of 547,500. The Local Government Act of 1998, as amended in 2010, and the National Decentralisation Policy of 1998, mandates Blantyre City Council to govern and manage the City of Blantyre. The Local Government Act stipulates several services which councils are supposed to provide to their residents and among them is the provision of off-site sanitation services. With regards to general sanitation service provision in Blantyre City, the sewerage infrastructure serves only 16% of the households in the City while 59% and 25% of the households use pit latrines and septic tanks respectively. The sewerage infrastructure has five designated sites (Soche, Blantyre, Limbe, Chirimba and Maone) for treating wastewater. Figure 1 shows the locations of the five WWTPs.



*Figure 1: Blantyre Sewer Catchment Areas and Wastewater Treatment Works*

The Soche Sewerage System consists of the Soche WWTP located in Zingwangwa and a sewer network that conveys wastewater from both domestic and industrial sources after pretreatment. It is located to the Southwest of the city centre in the Zingwangwa area, on a north facing valley side -facing site at elevation approximately 1020 m. The treatment plant serves a catchment area of 24 km2 consisting of Zingwangwa, Naperi, Kamba, Nkolokosa, Soche East, Chitawira, Chinyonga, Queen Elizabeth Central Hospital, College of Medicine, High Court, MUBAS (Malawi University of Business and Applied Sciences), Shoprite, Civic Centre, Kanjedza, Kanjedza Police and Soche Technical College. The site area of the Soche WWTP measures some 5.4 ha with a perimeter of approximately 500m. By volume, about 80% of the wastewater that reaches the treatment plant is domestic in nature and the remaining 20% is industrial.

The Blantyre Sewerage System consists of the Blantyre WWTP located at Manase and a sewer network that conveys wastewater from both domestic and industrial sources. The plant is located to the West side of the city in the Manase Township, on a steep sloping west-facing site at elevation approximately 950 m. The plant serves a selected catchment area of 228 km2 comprising the Blantyre city residential, commercial and civic, and industrial properties only to the north of the Soche catchment. The specific locations covered include Makata Industrial Area, Mount Pleasant, Mandala, Manase, Sanjika, Ndirande Chinseu, Nyambadwe, Mudi Estate, Wenela, Mwaiwathu Hospital, Henry Henderson Institute (HHI), Namiwawa, Chilomoni, Blantrye CBD, Sunnyside, Kristwick and part of Ginnery corner. The plant has facilities for handling road tankers discharges at the sludge lagoons. The site area measures some 16.4 ha with a boundary length of 700 m with the sludge lagoons, located adjacent to the access road, on ground overlooking the main works. By volume, about 30% of the wastewater that reaches the treatment plant is domestic in nature and the remaining 70% is industrial. The effluent from the treatment plant is discharged into Mudi River.

The Limbe Works is situated on a steep westerly facing slope in the valley of Limbe stream, south of the Chiwembe Township. The total area of the works extends some 14 ha of unfenced area including the inlet works. The specific locations serviced by the Limbe system include Chiwembe, Limbe CBD, Mpingwe, Limber Cathedral, ADMARC and Bakhresa. Presently, the treatment plant receives sewage from septic tanks, pit latrines and oil from industrial area although the Works were not originally designed to treat industrial wastewaters. The Limbe and Chimwankhunda streams, which receive the treated effluent, also form the western boundaries of the site. The streams are sometimes used for washing clothes by people living in the nearby traditional housing areas of Mboma and Macheso.

The Chirimba Works is approximately a 1 ha fenced site located towards the Chileka Airport, some 4.5 km to the north-west of the sewered area. The site slopes gently to the south at elevation approximately 780 m and is adjacent to the Nkhumbe River, which also receives the treated effluent and overflows, and is immediately upstream of its confluence with the Likhubula stream. The site reportedly was at some point not fenced and the public walk through it, leading to vandalism of plant and equipment. The system was designed to serve the industrial area of Chirimba through a 7 km long trunk sewer from the industrial site to the WWTP.

The Maone Works is a small treatment works that was built around the 1960s to serve the local Maone residential area. It is believed to have been built by a local Tobacco Company. The works were planned to serve a physical catchment of some 26 ha, being part of the Nkolokoti ward of about 50 residential properties. The 0.15 ha unfenced site is located on the north facing ridge between Ndirande Mountain and Mpingwe hill, at elevation approximately 1180 m and is adjacent to the head of the Nangafuwe stream, which in turn flows into the Lunzu River which also receives the treated effluent and overflows.

The five WWTPs are served by separate trunk sewers of Mudi (Blantyre WWTW), Limbe (Limbe WWTW), Naperi (Soche WWTW), Nasolo (Blantyre WWTW) and Chirimba (Chirimba WWTW) that have a cumulative trunk sewer network of not less 122.991 km. Table 1 shows the specific trunk sewer network distribution by pipe diameter.

Table 1: Sewer Network Distribution by Pipe Diameter

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Pipe Diameter (mm)** | **Mudi Trunk Sewer (m)** | **Limbe Trunk Sewer(m)** | **Naperi Trunk Sewer(m)** | **Chirimba Trunk Sewer(m)** |
| 150 |  20,311  |  8,806  |  11,335  |  173  |
| 200 |  26,431  |  9,142  |  12,610  |  -  |
| 225 |  -  |  -  |  -  |  984  |
| 250 |  6,011  |  170  |  633  |  -  |
| 300 |  3,594  |  -  |  -  |  1,977  |
| 350 |  944  |  700  |  -  |  -  |
| 375 |  -  |  -  |  5,770  |  2,471  |
| 400 |  -  |  1,463  |  -  |  221  |
| 450 |  -  |  1,696  |  -  |  1,100  |
| 500 |  220  |  -  |  -  |  -  |
| 425 |  -  |  -  |  -  |  147  |
| 600 |  5,903  |  -  |  -  |  178  |
| **TOTAL** |  **63,414**  |  **21,977**  |  **30,348**  |  **7,251**  |

It is worth noting that the trunk sewers of Mudi, Limbe, Naperi, Nasolo serve both industries and domestic customers while that of Chirimba only serves Chirimba Industrial Area. However, due to increased numbers of dwelling units within Chirimba, Chatha and Kameza townships there is growing pressure of connecting these townships to Chirimba Trunk Sewer.

In a bid to improve water supply and sanitation service delivery to residents of the city of Blantyre and surrounding areas, the Government of Malawi (GoM), through BWB and BCC, with financial support from the World Bank’s International Development Association (IDA), intends to rehabilitate the sewerage infrastructure within Blantyre City. The project interventions are expected to contribute to improved access to sanitation services for the residents of Blantyre, thus improving the city's health outcomes and quality of life and enabling the business environment for its residents. However, the sewerage infrastructure rehabilitation works is expected to affect some properties that have either encroached the wastewater treatment boundaries or are erected on top or within the right of way of the existing sewer network. In order to ensure successful implementation of the planned rehabilitation works, BWB intends to seek services of a reputable firm that will be tasked with the preparation and implementation of a Resettlement Action Plan (RAP) report that meets World Bank (WB) Environmental and Social Framework (ESF) and Resettlement Policy Framework (RPF) and relevant laws and regulations of the Government of Malawi, and Malawi Environmental Protection Agency’s (MEPA) Environmental and Social policy requirements.

## **Objectives of the Assignment**

## **Overall Objective of the Assignment**

The overall objective of this consultancy is to prepare and implement a Resettlement Action Plan (RAP) report that meets World Bank (WB) Environmental and Social Framework (ESF) and Resettlement Policy Framework (RPF) for the project.

## **Specific Objectives of the Assignment**

The specific objectives of the assignment include the following key tasks:

1. Set out strategies to mitigate against adverse effects suffered by the Project Affected Persons (PAPs) including provision of channels and platforms for negotiations.
2. Assess the potential extent of involuntary resettlement relating to the Project.
3. Identification of all potential PAPs and the impacts of the proposed projects on their livelihoods and recommend measures to minimize Resettlement effects and safeguard livelihoods.
4. Identify different categories of PAPs who will require some form of assistance, compensation, rehabilitation or relocation.
5. Carrying out an asset inventory survey of all potential assets that will be affected by the proposed project under Component 2 and outcome used to establish the parameters and entitlements for the project affected people.
6. Verification of compliance with the Relocation and Resettlement Regulations that govern the industry. This should take into consideration the Government of Malawi policy and legal framework and the World Bank’s Safeguards including Resettlement Policy Framework for the proposed project.
7. Provision of guidelines to stakeholders participating in minimizing resettlement impacts of the project.
8. Estimate the costs necessary for resettlement and compensation.

# **2.0 SCOPE OF WORK**

The broad scope of the work is to review the general description of the project and identify the potential involuntary resettlements impacts of the project including:

Identify the existing Right of Way (ROW) and new Right of Way.

The zone of impact of activities

Alternatives considered to avoid or minimize resettlement

Mechanisms established to minimize resettlement, to the extent possible, during project implementation.

Provision of appropriate maps (1:50,000) to describe the project area, population settlements and location of PAPs.

# **3.0 RAP PREPARATION**

**3.1 Detailed Description of Tasks**

The activities to be undertaken by the Consultant under this TOR shall include the following: -

**Task 1: Review the Legislative and Regulatory Framework**

To review all the legislative and regulatory framework as applicable to land acquisition and resettlement and ensure all appropriate regulations are articulated including the analysis of the following: -

The scope of the power of eminent domain and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment.

The applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal time frame for such procedures, and any available alternative dispute resolution mechanisms that may be relevant to resettlement under the project.

Relevant laws (including customary and traditional law) governing land tenure, statutory mechanism for land acquisition, valuation of assets and losses, compensation; customary personal law related to displacement; and environmental laws and social welfare legislation and policies that are related to resettlement.

Laws and regulations relating to the agencies responsible for implementing resettlement activities; Indicate the provisions of World Bank Safeguard Standards, comparing them against Malawi’s regulations related to involuntary resettlement; present the similarities, differences and gaps, and provide mechanisms to address the gaps, confirming which set of standards is to set precedence in this RAP.

Any legal steps necessary to ensure the effective implementation of resettlement activities under the project, including, as appropriate, a process for recognizing claims to legal rights to land comprising claims that derive from customary law and traditional usage.

**Task 2: Census and Socio-economic Survey Studies**

To undertake a socio-economic survey and studies to ensure that relevant data pertaining to the following is presented:

Apply an acceptable methodology to delineate the area of potential resettlement impacts and identify all the affected persons through a census survey. Ensure that the PAPs census survey covers all people living along the affected area and using a cut-off date establish a baseline to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance.

Undertake using an acceptable participatory methodology a socio-economic survey of affected people. The results of the socio- economic survey will include: -

A demographic profile with socio-economic characteristics of the potential PAPs.

The magnitude of the expected loss (total or partial) of assets, and the extent of displacement, physical or economic.

A profile on vulnerability clearly stipulating the levels of vulnerability of different categories of PAPs.

Land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems, and any issues raised by different tenure systems in the project area.

Standard characteristics of displaced households.

Public infrastructure and social services that will be affected, and

Social and cultural characteristics of displaced communities including a description of formal and informal institutions that may be relevant to the consultation strategy and to designing and implementing the resettlement activities

Develop a profile of PAPs, providing identification corresponding to assets (structures/properties/crops) to be affected.

Mapping of project area, settlements and location of the PAPs. The maps should be in appropriate scales and should be easy to interpret.

**Task 3: Public consultation, Disclosure and Grievance procedures**

This task entails the preparation of a public consultation, participation and communication strategy and should describe in clear terms the methodology for consultation, communication and participation by the PAPs in the process considering gender considerations and vulnerable groups. It will ensure that there is:

A description of the strategy for the interactive consultation with and participation of stakeholders and PAPs in the design, implementation of the resettlement activities and modalities for disclosure of information.

Provide a stakeholder analysis and matrix stipulating the level of power and interest and modalities of communication and involvement in the RAP project cycle.

A summary of the views expressed and how these views were considered in preparing the resettlement plan.

A review of the resettlement alternatives presented, and the choices made by the PAPs regarding options available to them, including choices related to forms of compensation and resettlement assistance.

Institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that vulnerable groups such as the poor, and women are adequately represented.

Development of effective channels of outreach to those most vulnerable by use of community-based organizations and official representative channels and authorities.

Documentation of the consultation and participation processes for this RAP and for subsequent activities. The records of consultation and participation should be attached as an annex to the final RAP report.

Coordinate with the client and prepare a program to undertake the disclosure of the RAP to the PAPs.

Develop governance, representation and stakeholder engagement that will be affected during RAP preparation and implementation.

Disclosure arrangements for the resettlement plan, ensuring that it is made available in a language and location accessible to displaced persons and the public

Administrative and legal steps displaced persons can take to pursue questions or grievances they may have regarding resettlement implementation

1. Develop a grievance and disputes redress mechanism. The process should give special attention to women and members of vulnerable groups to ensure they have equal access to grievance redress procedures.

**Task 4: Impacts of Project**

Undertake inventory of losses and impact survey component of the RAP ensuring that the results entail and describe the following: -

Mapping the affected properties (structures, crops, trees, fences) with an acceptable accuracy.

Identify types of project land use

Identify project activities/components causing involuntary resettlement (including restriction of land access) –

Define the alternatives to avoid and minimize involuntary resettlement

Assess types of impacts direct and indirect, permanent and temporary.

Prepare impact tables that detail each category of affected land, assets, and persons.

Placing of permanent survey marking (pegging/beaconing) of the extent of the new ROW at an acceptable distance.

The patterns of social interaction in the affected communities, including social access and how they will be affected by the project.

Analysis of potential displacement of communal assets including public infrastructure and social services that will be affected.

Document project resettlement minimization process and outcomes

**Task 5: Valuation of and Compensation for Losses**

Undertake the valuation of losses to determine replacement cost; and a description of the proposed types and levels of compensation under local laws and such supplementary measures as are necessary to achieve replacement cost for the lost assets. When reviewing the system for compensation, the following should be verified and completed:

Identification and preparation of an inventory of impacted assets and livelihoods for each household whether landowner license, tenant, or illegal occupant, classified by type (female headed, male headed, child headed) and indicating gender (number of males and females) per household.

Established compensation criteria and strategies.

Definition of the methodology to be used in valuing losses, to determine their replacement cost; and a description of the proposed types and levels of compensation under Government of Malawi regulations and such supplementary measures as are necessary to achieve replacement cost for the lost assets.

Verify valuation of all land affected both within the ROW and assets including structures, properties, trees, crops and livelihoods affected by the project (disaggregated data) to provide the basis for compensation/resettlements; to be acquired and livelihoods lost.

Specify procedures for compensation payment, paying attention to gender relations, power and control.

Ensure provision for assistance to vulnerable groups – specify who are vulnerable, weighting and ranking of PAPs depending on vulnerability and the type of assistance.

Review and develop effective and sustainable livelihood restoration and enhancement measures of PAPs especially the informal traders.

**Task 6. Determine Eligibility, Propose Resettlement Measures and Entitlement**

Provide the definition of displaced persons, criteria for determining their eligibility for compensation and other resettlement assistance. Determine the cut-off date for eligibility for compensation and a means for making this information (on cut-off date) reach the wider public

# **4.0 PHASE 2. RAP IMPLEMENTATION**

In close collaboration with BWB’s Project Implementation Unit (PIU), the consultant shall coordinate the implementation of RAP on as required basis in accordance with the signed RAP implementation contract. The consultant shall make sure, amongst others, that the following is being done:

Prepare a timeframe and implementation schedule for all activities under the land acquisition and involuntary resettlement process and in conjunction with the agreed implementation schedule for project components, showing how affected person will be informed, engaged, compensated, and monitored until livelihood is deemed restored.

Organizational responsibilities for implementation including any interface with relevant authorities and mechanisms to ensure gaps between national legislation and WB ESS5 are bridged.

Verification of implementation of activities and commitments described in the RAP.

Verifying that eligible people and affected communities receive their full compensation prior to the start of project activities in the affected area.

 Ensuring that the compensation measures being implemented are helping the people who sought cash compensation in restoring their lost incomes.

 Following up on complaints and grievances lodged by project affected persons and, where necessary ensure that appropriate corrective actions are taken.

Where necessary, make changes in RAP procedure to improve delivery to entitlements to project affected person (PAP).

 Ensuring that impacts of affected individuals, households and communities are maintained at their pre-project standards of living or better.

Reporting if project grievances and dispute mechanisms set forth in the RAP are working effectively.

Provision of timely and accurate information to the project implementation unit about the progress of RAP implementation and delivery of RAP compensation measures.

 Ensuring that there is appropriate coordination between governments levels involved in RAP implementation.

In collaboration with relevant ministries, identify any grievances that have not been resolved and may require resolutions at higher levels.

 As required develop monthly, quarterly and annual reports on the RAP implementation progress.

Document the completion of RAP resettlement actions in accordance with the requirements of the RAP plan as well as pending compensations.

Identify mitigation measures for unanticipated adjustments.

# **5.0 DURATION OF THE ASSIGNMENT**

## **Deliverables and Timeframes**

The proposed duration for the Phase 1 of this assignment shall be a maximum of 4 months. Phase 2 of the consultancy services shall be 24 months for RAP implementation supervision period. Table 1 provides a summary of the expected deliverables and timeframe. The Consultant shall draw up their own proposal for a work schedule but shall make do allowance for time required by the BWB/BCC to assess and approve documents submitted by the Consultant, before subsequent project tasks can be commenced with. The following schedule is to be used as a guide:

**Table 1 – Schedule of the Deliverables**

|  |  |  |
| --- | --- | --- |
| **Item No.** | **Deliverable** | **Due date**  |
| **Phase 1: Preparation of Resettlement Action Plan (4 Months)** |
| 1 | Inception Report  | 1 Month after commencement |
| 2 | Draft RAP Report | 2 Months after date of Client’s acceptance of Inception Report |
| 3 | Final RAP Report | 1 Month after Client’s acceptance of Draft RAP Report |
| **Phase 2: RAP Implementation Supervision Phase, (24 Months)** |
| 4 | Supervision and contract management manual | 2 weeks after commencement of phase 2 |
| 5 | Monthly Supervision Reports | Every 5th day of the following month |
| 6 | Memorandums with proposed actions to be undertaken to address any issues arising during the implementation of the RAP report | As required |
| 7 | Cash flow projections versus actual disbursements | As required |
| 8 | RAP Implementation Reports | Every 5th day of the following month |
| 9 | RAP Completion Report | 3 months after practical RAP implementation completion  |

The Consultant shall submit five (5) printed copies of each acceptable deliverables together with one (1) Flash Disk with an electronic copy of the same.

## **Format of Reports or Deliverables**

## **Inception Report**

This report shall include at least the following:

1. The Consultant’s state of mobilization.
2. Proposed methodology for carrying out the services, including development of tools for consultation and data gathering including guided questions, focused group discussion and stakeholder map showing the different stakeholders interested and affected by the project; and Consultation of various interested individuals and groups especially project affected persons (PAPs).
3. Proposed site communication procedures and recordkeeping.
4. Detailed program of activities, showing time, duration and personnel, as well as inter-relationship between activities.
5. Any changes to the composition of the Consultant’s team.
6. Activity register that will be updated in the subsequent monthly progress report. The register should highlight what is required for the attention of the client and may affect the successful delivery of the assignment.
7. Format of Monthly Progress Reports.
8. Understanding of the ToRs and scope of work, any proposals to improve the TORs, indication of adequacy or inadequacy of the ToRs.

## **Main outline of the RAP**

In preparing the RAP report, the consultant shall adopt the following format:

1. Executive summary
2. Project description
3. Legal and Institution framework
4. Census and socio-economic surveys
5. Eligibility and Entitlement
6. Consultation and participation
7. Resettlement sites and housing
8. Income restoration and livelihood
9. Grievance Redress Mechanism (GRM)
10. Implementation schedule
11. Budget and financing
12. Monitoring and Evaluation
13. Institutional arrangement
14. Conclusion and recommendations
15. Annexes

## **Supervision and Contract Management Manual**

Within Two (2) weeks of signing phase two of the contract, the Consultant shall prepare a Contract Management Manual which will lay out procedures to be followed during the implementation of RAP. The manual shall set out an organization chart, full contact details for each organization involved in the execution of the RAP activities, together with detailed procedures for the issuance of correspondences, information request, shop drawings, Consultant’s instruction, variation orders management, contract sum adjustments, extension of time, standard monthly reporting by the Consultant, minutes of monthly meetings, site inspection, standard forms to be used and project filing system. The Manual will also serve as a basis for on-the-job training for the Employer’s Representative staff during the implementation of the RAP implementation contract.

## **Monthly Progress Reports**

The Monthly Progress Reports to the Client during construction phase should include:

1. Brief description of the RAP activities.
2. Description of activities completed and in progress.
3. Progress compared with RAP implementation programme and estimated completion date including approved extension.
4. Financial report with payments to date compared to programme disbursements.
5. Quality control.
6. Consultant’s personnel and RAP implementation equipment/tools.
7. Challenges, issues, risks, updated activity register, and level of effort expected from the consultant's team in the following month.
8. Photographic records.
9. Planned work of activities in the next reporting period.

## **Final RAP Implementation Report**

The report shall cover all main aspects of the RAP Activities, RAP implementation methods, design changes, actual conditions, quality control, problems encountered, Actual RAP implementation programme compared with original, disbursement schedule and other major aspects during RAP implementation. The Consultant shall submit five (5) hard copies and two (2) electronic copies of the Final RAP implementation Report to the Client within three (3) months of practical completion of each of the RAP packages.

## **Project Completion Report (PCR)**

Prepare a comprehensive final Project Completion Report (PCR) at the end of the assignment. This report must be submitted immediately after completion of contracts and shall summarize the methods of RAP preparation, RAP supervision performed, lessons learnt, and recommendations for future projects of similar nature to be undertaken by the Employer. The report should also contain a summary of all reports in terms of project implementation, targets versus achievements, lessons and experience gained in project implementation, problems encountered and resolved. The PCR shall cover the relevant information on the Project pertaining to the Consultant’s observation and work carried out during the project implementation Period. The Consultant shall submit five (5) hard copies and two (2) electronic copies of Project Completion Report to the Client within three (3) months before the end of project implementation Period and shall cover the relevant information on the Project pertaining to the Consultant’s observation and work carried out during project implementation Period.

# **6.0 STAFFING REQUIREMENTS**

## **6.1. Key Professionals**

The following are the minimum qualifications and time input for Consultant’s key personnel required to carry out the services for Phase 1 and Phase 2:

**Table 2: Estimated inputs of the Key professionals**

|  |  |  |  |
| --- | --- | --- | --- |
|  **No.** | **Expert** | **Minimum Number of Required Staff** | **Man-months** |
| **Phase 1: Preparation of Resettlement Action Plan (4 Months)** |
| 1 | Resettlement Expert/Sociologist /Team Leader  | 1 | 4 |
| 2 | Social Development Specialist | 1 | 4 |
| 3 | Land Surveyor/Geographic Information System (GIS) expert | 1 | 3 |
| 4 | Lead Land Valuer | 1 | 3 |
| **Total** | **14** |
| **Phase 2: RAP Implementation Supervision Phase (24 Months)** |
| **No** | **Expert** | **Minimum Number of Required Staff** | **Supervision** |
| 5 | Resettlement Expert Team Leader  | 1 | 12 |
| 6 | Social Development Specialist | 1 | 12 |
| 7 | Land Surveyor/GIS expert | 1 | 3 |
| 8 | Registered Land Valuer | 1 | 3 |
| **Sub Total** |  | **30** |
| **Total** | **44** |

In addition to above listed positions of professionals, the Consultant shall consider other experts and support professionals with adequate qualifications and experience in the relevant fields and include in the technical and financial proposal. During technical evaluation process, these staff will not be evaluated individually. However, they will be considered collectively along with other support staff, if any, under “Organization and Staffing” criteria of evaluation.

## **6.2 Qualifications and Key Personnel Requirements**

The key professionals for the consultant should have individual experience in related fields that shall include minimum two similar assignments carried out in a similar setting:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **SN** | **Designation** | **Minimum Academic Qualification**  | **General Experience** | **Specific Experience**  |
| 1 | Resettlement Expert/Team Leader  | MSc. in Development studies and BSc. in Environmental science or Social Sciences from recognized University  | 15 years | * Must have at least ten 10 years’ practical post-qualification experience
* Must have at least 5 years of work experience in handling social issues (including land acquisition and resettlement) of large-scale construction projects and be familiar with the social safeguards policies of the World Bank (ESS5) and implementation of the safeguards in World Bank financed projects.
* Must have been a team leader in the preparation of RAPs/ARAPs, in at least in 5 projects.
* Practical experience of working in development areas, preferably urban development.
* Previous experience on WB funded projects. Those with experience in implementing WB funded projects within Malawi will have an added advantage.
* Knowledge and skills in social analysis, social surveys, impact assessment and related areas.
* Good knowledge of local conditions and laws of Malawi.
* Ability to work on complex issues, act as both team leader and member, and communicate eloquently.
 |
| 2 | Social Development Specialist | BSc. in Gender and Development, Social Sciences or Community Development  | 10 years | * Should have at least 5 years of work experience in handling social issues (especially, land management, acquisition, resettlement and forced displacements Grievance Redress Mechanism) of large-scale construction projects.
* Familiarity with the social safeguards policies of the World Bank and implementation of the safeguards in World Bank financed projects.
* Knowledge of local language.
 |
| 3 | Land Surveyor | BSc. (Survey & Photogrammetry) from a recognized University | 15 years | * At least 10 years’ post qualification work experience.
* She/he must be a Registered Land Surveyor and must have a valid annual Practicing license and full membership with the Surveyors Institute of Malawi.
* Proficiency in listening and speaking of English.
* Demonstrable experience with FIDIC Conditions and projects funded by international financing institutions such as the World Bank.
* Previous experience on World Bank funded projects implemented within Malawi will be an advantage.
 |
| 4 | Registered Land Valuer | Bachelor of Arts (BA). Degree in Land Economics from a recognized University | 15 years | * At least ten (10) years post-qualification professional experience.
* He/she must be a Registered Land Valuer and must have a valid annual Practicing license and full membership with the Land Economy Board of Malawi.
* He/ She must have served in similar capacity in preparation of Resettlement Action Plan for at least three (3) similar projects.
* Proficiency in listening and speaking of English.
* Demonstrable experience with FIDIC Conditions and projects funded by international financing institutions such as the World Bank.
* Previous experience on bank funded projects implemented within Malawi will be an advantage.
 |

# **CONTRACT MANAGEMENT**

## **Obligation of the Consultant**

1. The Consultant shall be responsible for the payment of local taxes and duties for all goods and services including levies during execution of the project.
2. The Consultant is expected to be fully self- sufficient in terms of accommodation, office supplies, office equipment, communication, transport, VISAs or permits, insurance and living expenses of the staff. All items, including vehicles, bought under this assignment or contract will become property of the client after the project. The cost of running the vehicles will be borne by the Consultant.
3. The data, documentation and assets from the consultancy will remain the property and in the custody of the Client at the end of the consultancy.
4. The Consultant shall be available, always, for subsequent discussions of the assignment with the Client.

## **Support from the Client**

The Client shall, wherever possible:

1. Assist the Consultant in obtaining information and data to enable the Consultant to execute the services described herein effectively. However, the Consultant shall be solely responsible for executing the ground levels surveys, analysis and interpretation of all data and from his findings, making appropriate conclusion and recommendations.
2. Ensure that data is accurate and available for ease of supervision of the activities.
3. Provide copies of available study reports and other relevant documents.
4. Ensure that the Consultant has access to all available information required for timely execution of the assignment.
5. Access to the necessary project documents (ESMF, RPF, Project Appraisal Document (PAD), Stakeholders Engagement Plan (SEP) etc) relevant to the assignment.
6. Dedicate the PIU Environmental and Social Development Specialists to facilitate the work of the consultant.

## **Reporting Arrangements Reviews and Schedule of Deliverables**

Blantyre Water Board, with support from Blantyre City Council, will be the implementing agency for the execution of this assignment. The Consultant will be reporting to the PIU Manager on contractual matters and to the BCC Project Support Team Coordinator on daily operational issues. The Consultant will be required to submit all the reports to Project Implementation Unit, with copies to BCC as per the specified timelines.

## **Payment Schedule**

The following is the proposed payment schedule for the project:

**Table 3: Payment Schedule**

|  |  |  |  |
| --- | --- | --- | --- |
| No | Deliverable | No. of Copies | % Of payment |
| **Phase 1: Preparation of Resettlement Action Plan (4 Months)** |
| 1 | Inception Report – Inception report on the methodology with regards to fulfilling the objectives of the assignment and scope of works. The inception report shall include the detail outline of the RAP as contained in the World Bank safeguard framework and acceptable to the client. | Fifteen (15) hard copies and a soft copy in MS Word | 20% |
| 2 | Draft RAP ReportDraft RAP covering all the scope outlined in this term of reference after thorough stakeholder engagement/consultation for review | Fifteen (15) hard copies each of the RAP and a soft copy in MS Word | 40% |
| 3 | Final RAP ReportFinal RAP incorporating the review comments from the client and World Bank. | Fifteen (15) hard copies of the RAP and a soft copy in MS Word | 40% |
| **Total** | **100%** |
| **Phase 2: RAP Implementation Supervision Phase, (24 Months)** |
| 5 | Supervision and contract management manual |  |  |
| 6 | Monthly Supervision Reports |  |  |
| 7 | Memorandums with proposed actions to be undertaken to address any issues arising during the implementation of the RAP report |  |  |
| 8 | Cash flow projections versus actual disbursements |  |  |
| 9 | RAP Implementation Reports |  |  |
| 10 | Project Completion Report |  |  |
| **Total** |  |