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**FEDERAL REPUBLIC OF NIGERIA  
FEDERAL MINISTRY OF WATER RESOURCES  
TRANSFORMING IRRIGATION MANAGEMENT IN NIGERIA PROJECT**

**Project ID No:** P123112  
**Credit No:** CR 5506-NG  
**Assignment Title:** CONSULTANCY SERVICES FOR THE PREPARATION AND IMPLEMENTATION OF RESETTLEMENT ACTION PLAN FOR DADIN KOWA IRRIGATION SCHEME

**Reference No. (FMWR/TRIMING/CQS/2017/01)**

## REQUEST FOR EXPRESSION OF INTEREST (REOI)

The Federal Government of Nigeria (FGN) has received a credit from the International Development Association (IDA) towards the cost of the Transforming Irrigation Management in Nigeria (TRIMING) Project and it intends to apply part of the proceeds for consulting services.

The TRIMING Project Development Objective is to improve access to irrigation and drainage services and to strengthen institutional arrangements for integrated water resources management and agriculture service delivery in selected large-scale public schemes in Northern Nigeria.

The principal proposed investment components are the following: Water Resources Management and Dam Operations Improvement; Irrigation Development and Management; Enhancing Agricultural Productivity and Support to Value Chains Development; and Institutional Development and Project Management. The Implementing Agency for the Borrower (Government of Nigeria) is the Federal Ministry of Water Resources (FMWR). The FMWR has appointed a Project Management Unit (PMU) to manage all aspects of procurement, management, payments and disbursement applications for the Project.

**The scope of the services would include, but not limited to:**

Description of the project: General description of the project and affected project areas.

Map: Produce map to delineate households, farm plots trees and economic crops within the project area using aerial satellite maps at a minimum scale of 1-5000. Each farm land, household, economic trees and crops should be allocated identification number.

Potential Impacts: Identification of the: (i) components or activities that require resettlement or restriction of access; (ii) zone of impact of components or activities; (iii) alternatives considered to avoid or minimize resettlement or restricted access; and (iv) mechanisms established to minimize resettlement, displacement, and restricted access, to the extent possible, during project implementation. (v) number of people to be affected

Objectives: The main objectives of the resettlement program as these apply to the TRIMING Project should be described in relation to the project.

Census: A census of people, land, goods, to be affected will be conducted by the consultant.

This census will serve five important and interrelated functions:

- enumerating and collecting basic information on the affected population;
- registering the affected population by residence or locality;
- establishing a list of legitimate beneficiaries before the project's onset that counters spurious claims from those moving into the project area solely in anticipation of benefits;
- laying a framework for subsequent socioeconomic research needed to establish fair compensation rates and to design, monitor, and evaluate sustainable income restoration or development interventions; and providing a baseline for monitoring and evaluation.

Socio-economic studies: The findings of socio-economic studies to be conducted with the involvement of potentially affected people will be needed. These generally include the results of a census of the PAPs covering:

- (i) Current occupants of the affected area as a basis for design of the RAP and to clearly set a cut-off date, the purpose of which is to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
- (ii) Standard characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
- (iii) Magnitude of the expected loss, total or partial, of assets, and the extent of displacement, physical or economic;
- (iv) Information on vulnerable groups or persons, for whom special provisions may have to be made; and
- (v) Provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement, and to measure impacts (or changes) in their livelihood and living conditions.
- (vi) Detail activities of herdsmen and their relationship with farmers in the scheme.

The RAP will draw from other studies such as the project's disclosed safeguards instruments (i.e. RPF and ESMF), ESIA, Feasibility Studies and detailed design for DKIS, Cadastral and landholding survey report for DKIS, ROPISIN report and any other relevant report that describes the following as required:

- (i) Land tenure, property, and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the sub project area;
- (ii) Patterns of social interaction in the affected communities, including social support systems, and how they will be affected by the sub-project;
- (iii) Public infrastructure and social services that will be affected; and
- (iv) Social and cultural characteristics of displaced communities, and their host communities, including a description of formal and informal institutions. These may cover, for example, WUAs, community organizations; cultural, social or ritual groups; and non-governmental organizations (NGOs) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

Legal Framework: The analysis of the legal and institutional framework in Nigeria should cover the following:

- (i) Scope of existing land and property laws governing resources, including state-owned lands under eminent domain and the nature of compensation associated with valuation methodologies; land market; mode and timing of payments, e.t.c;
- (ii) Applicable legal and administrative procedures, including a description of the grievance procedures and remedies available to PAPs in the judicial process and the execution of these procedures, including any available alternative dispute resolution mechanisms that may be relevant to implementation of the RAP for the sub-project;
- (iii) Relevant laws (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights, customary personal law; communal laws, etc. related to displacement and resettlement, and environmental laws and social welfare legislation;
- (iv) Laws and regulations relating to the agencies responsible for implementing resettlement activities in the sub-projects;
- (v) Gaps, if any, between local laws covering resettlement and the Bank's resettlement policy, and the mechanisms for addressing such gaps; and

- (vi) Legal steps necessary to ensure the effective implementation of RAP activities in the sub-projects, including, as appropriate, a process for recognizing claims to legal rights to land, including claims that derive from customary and traditional usage, etc, which are specific to the sub-projects.

The institutional framework governing RAP implementation generally covers:

- (i) Agencies and offices responsible for resettlement activities and civil society groups like NGOs that may have a role in RAP implementation;
- (ii) Institutional capacities of these agencies, offices, and civil society groups in carrying out RAP implementation, monitoring, and evaluation; and
- (iii) Activities for enhancing the institutional capacities of agencies, offices, and civil society groups, especially in the consultation and monitoring processes.

Eligibility and entitlements: Definition of displaced persons or PAPS and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

Valuation of and compensation for losses: The methodology to be used for valuing losses, or damages, for the purpose of determining their replacement costs; and a description of the proposed types and levels of compensation consistent with national and local laws and measures, as necessary, to ensure that these are based on acceptable values (e.g. market rates).

Resettlement Measures: A description of the compensation and other resettlement measures that will assist each category of eligible PAPs to achieve the resettlement objectives. Aside from compensation, these measures should include programs for livelihood restoration, financial literacy, grievance mechanisms, consultations, and disclosure of information.

Site selection, site preparation, and relocation: If a resettlement site is an option, describe the alternative relocation sites as follows:

- (i) Institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;
- (ii) Any measures necessary to prevent land speculation or influx of eligible persons at the selected sites;
- (iii) Procedures for physical relocation under the project, including timetables for site preparation and transfer; and
- (iv) Legal arrangements for recognizing (or regularizing) tenure and transferring titles to resettler's.

Housing, infrastructure, and social services: Plans to provide (or to finance resettler's provision of) housing, infrastructure (e.g. water supply, feeder roads), and social services to host populations; and any other necessary site development, engineering, and architectural designs for these facilities should be described.

Environmental protection and management. A description of the boundaries of the relocation area is needed. This description includes an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).

Community Participation: Consistent with the World Bank's policy on consultation and disclosure, a strategy for consultation with, and participation of, PAPs and host communities, should include:

- (i) Description of the strategy for consultation with and participation of PAPs and hosts in the design and implementation of resettlement activities;
- (ii) Summary of the consultations and how PAPs' views were taken into account in preparing the resettlement plan; and
- (iii) Review of resettlement alternatives presented and the choices made by PAPs regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individual families or as parts of pre-existing communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centers, cemeteries); and
- (iv) Arrangements on how PAPs can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that vulnerable groups (including indigenous peoples, ethnic minorities, landless, children and youth, and women) are adequately represented.

The consultations should cover measures to mitigate the impact of resettlement on any host communities, including:

- (i) Consultations with host communities and local governments;
- (ii) Arrangements for prompt tendering of any payment due the hosts for land or other assets provided to PAPs;
- (iii) Conflict resolution involving PAPs and host communities; and
- (iv) Additional services (e.g. education, water, health, and production services) in host communities to make them at least comparable to services available to PAPs.

Grievance procedures: The RAP should provide mechanisms for ensuring that an affordable and accessible procedure is in place for third-party settlement of disputes arising from resettlement. This mechanism should be localized as much as possible with the active involvement of the traditional rulers, Local Chiefs, Women leaders and representatives of the youth groups. The Resettlement plan shall include clear procedures for filing and resolving grievances from the affected population. Grievance procedures fall into the following steps.

- ❖ Reception and registration: Affected people shall have the right to file complaints or grievances with regard to any aspect of the resettlement project. They may do so verbally, in writing or through a representative. Grievances shall be recorded by the implementing agency with the name of the griever, address and location information, the nature of the grievance and the resolution desired. Receipt of grievances shall be acknowledged within 48 hours of receipt by an official authorized to receive grievances
- ❖ Resolution: All grievances shall be referred to the appropriate party for resolution and shall be resolved within 15 days after receipt. If additional information is needed, project management can authorize an additional 15 days for resolution. Results of grievances shall be disclosed to the griever in writing with an explanation of the basis of the decision.
- ❖ Appeals: Grievors dissatisfied with the response to their grievance may file an appeal. In such cases, the responsible authority shall assemble a committee to hear cases including at least one disinterested party from outside the company or agency responsible for the resettlement project. There will be no further redress available outside the resettlement project. In such cases, grievances would need to be pursued through the legal system.
- ❖ Monitoring: During project implementation and for at least 3 months

following the conclusion of the project, monthly reports will be prepared by the responsible agency regarding the number and nature of grievances filed and made available to project management and included in the trimesterly reports by the PMU.

RAP implementation responsibilities: The RAP should be clear about the implementation responsibilities of various agencies, offices, and local representatives. These responsibilities should cover (i) delivery of RAP compensation and rehabilitation measures and provision of services; (ii) appropriate coordination between agencies and jurisdictions involved in RAP implementation; and (iii) measures (including technical assistance) needed to strengthen the implementing agencies' capacities of responsibility for managing facilities and services provided under the project and for transferring to PAPs some responsibilities related to RAP components (e.g. community-based livelihood restoration; participatory monitoring; e.t.c.).

Implementation Schedule: An implementation schedule covering all RAP activities from preparation, implementation, and monitoring and evaluation should be included. These should identify the target dates for delivery of benefits to resettlers and hosts and a clearly defined closing date. The schedule should indicate how the RAP activities are linked to the implementation of the overall project. It is not acceptable for construction to begin with the demolition of homes or schools before appropriate measures have been taken to replace housing and other structures. If cash compensation is used, it must be paid before people are obliged to move.

Costs and budget: The RAP for the specific sub-projects should provide detailed (itemized) cost estimates for all RAP activities, including allowances for inflation, population growth, and other contingencies; timetable for expenditures; sources of funds; and arrangements for timely flow of funds. These should include other fiduciary arrangements consistent with the rest of the project governing financial management and procurement.

Monitoring and evaluation: Arrangements for monitoring of RAP activities by the implementing agency, and the independent monitoring of these activities, should be included in the RAP section on monitoring and evaluation. The final evaluation should be done by an independent monitor or agency to measure RAP outcomes and impacts on PAPs' livelihood and living conditions. The World Bank has examples of performance monitoring indicators to measure inputs, outputs, and outcomes for RAP activities; involvement of PAPs in the monitoring process; evaluation of the impact of RAP activities over a reasonable period after resettlement and compensation, and using the results of RAP impact monitoring to guide subsequent implementation.

Capacity Building and Training: In order to ensure that the resettlement related activities are carried out in a satisfactory manner, the Consultant should provide training of staff from the implementing agency and other institutions involved in implementation. The training would cover the issues as outlined above and which could include the following: (i) costs of the training; (ii) training workshops and other forms of consultations to ensure full disclosure and discussed with PAPs and other stakeholders, as needed; and (iii) duration or timetable of the training should be clearly defined, including for consultations that will be conducted on a regular basis (e.g. monthly feedback). The Consultant will analyze the need for additional capacity building for the involved institutions and actors, and design a long-term consultation and training program for the implementing agency

The Consulting firm should have proven capacity to: review technical design for construction/ rehabilitation works and demonstrate relevant experience in carrying out Resettlement Action Plan (RAP)

The Federal Ministry of Water Resources through its Project Management Unit (PMU) of the Transforming Irrigation Management in Nigeria Project now invites eligible consulting firms ("Consultants") to indicate their interest in providing the Services. Interested Consultants should provide information demonstrating that they have the required qualifications and relevant experience to perform the Services.

Interested consulting firms should submit the company profile detailing relevant experience of RAP elaboration and implementation carried out in the last fifteen (15) years of a similar nature to the current proposed assignment of scope not less than 6000ha of irrigated land with verifiable evidence, related letters of award, and completion certificates as well as other supporting documents.

**The short-listing criteria are:**

- Demonstrated experience in devising, supervising and implementing Resettlement Action Plans including completion of at least three reports on projects of a similar scale;
- Specific experience in Resettlement Action Plan in irrigation, water resource management or similar fields;
- Experience in preparing and implementing Resettlement Action Plan for externally funded projects by development partners such as the World Bank, AfDB, USAID, DFID, etc.);
- Experience in Nigeria or a developing country under similar conditions,
- Experience in carrying out detailed socio-economic studies

**Note:** Interested consulting firms must indicate their independence from any firm bidding on design or construction contracts,

The attention of interested Consultants is drawn to paragraph 1.9 of the World Bank's Guidelines: Selection and employment of Consultants (under IBRD loans and IDA Credit and Grants) by World Bank borrowers, January 2011 edition (Consultants Guidelines) setting forth the World Bank Policy on Conflict of Interest.

Interested consultants may obtain further information from the address below during office hours 08:00 and 17:00 (Local time Monday to Friday) and/or send an email to the National Project Coordinator at address "info@triming.org".

Consultants may associate with other firms in the form of a joint venture or a sub-consultancy to enhance their qualifications.

A Consultant will be selected in accordance with the CQS method set out in the Consultant Guidelines.

A hard copy or electronic copy by email of the Expression of Interest must be delivered to the address below in person or by courier not later than 14:00 hours local time on 28<sup>th</sup> November, 2017

**ATTN: NATIONAL PROJECT COORDINATOR,  
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Signed:  
**National Project Coordinator**