

**TERMS OF REFERENCE FOR CONSULTING SERVICES
OF NATIONAL CONSULTANT FOR LAND ACQUISITION / LAND AFFAIRS**

A. Background and Scope

1. The Government of Sri Lanka:
 - (i) has received financing from the Asian Development Bank (ADB) toward the cost of the Transport Project Preparatory Facility, which includes feasibility and detailed design studies of four suburban lines in Colombo;
 - (ii) has applied for financing from ADB toward the cost of the Railway Efficiency Improvement Project, for improvement of the operations, maintenance, safety, skills development, and project preparation and implementation capacity of Sri Lanka Railways. The Consultant will be engaged under the Railway Efficiency Improvement Project; and
 - (iii) is expected to apply for financing from ADB for the electrification and double tracking of the Kelani Valley Line in 2020, in the form of a loan toward the cost of the Kelani Valley Railway Investment Program Phase 1. In addition, preparation of future projects on Main Line and Coastal Line are also ongoing in anticipation of future ADB financing.

2. The Kelani Valley Line serves a densely urbanized area in southeast Colombo and is currently a single-track railway line with few passing loops and frequent level crossings. Construction of an elevated dual track on a viaduct structure is proposed as part of the Kelani Valley Railway Improvement Program Phase 1. The proposed elevated section of the Kelani Valley Line is approximately 20.8 kilometres long and runs between Maradana and Malapalla. In addition, the section of Kelani Valley Line beyond Malapalla to Angampitiya will also be developed under the investment program, while the section between Angampitiya and Avissawella would be developed at a later stage in a separate project. The Malapalla to Padukka section will be at grade, dual track and the section from Padukka to Avissawella will be at grade, single track.

3. By considering the development concept, MoT&CA has taken action to engage a firm of international and national consultants to study land value capture (LVC) and transit-oriented development (TOD) opportunities along the Kelani Valley Line, and the firm of consultants will identify and develop urban development and land value capture opportunities and recommendations for the proposed elevated section of the Kelani Valley Line.

4. The Kelani Valley Line and other Railway development involves Land Acquisition and Relocation of Project Affected People. The Kelani Valley Line has a very limited RoW. The Designs done by Feasibility Study and Detailed Design consultancy includes the Service Road for construction.

5. The Sri Lanka Railway Department of the Ministry of Transport & Civil Aviation (MOTCA) owns and operates the railway network as Sri Lanka Railways (SLR). MoT&CA intends to engage an individual national consultant, for 120 days spread over six (06) months to function along with Project Management Unit (PMU) of Colombo Suburban Railway Project and advise and support PMU regarding Land Acquisition process of the Kelani Valley Line and Main Line. In addition, the consultant will support and advise the Transit Oriented Development and Land Value Capturing (TOD and LVC) consultancy too.

B. Scope of Services

6. The scope of the National Consultant for Land Acquisition /Land Affairs is as follows.
 - i. Collect all Land Acquisition and Social Safeguard related acts, policies and procedures applicable in Sri Lanka
 - ii. Collect all Railway Land related acts, policies and procedures
 - iii. Collect all Land related and Social Safeguard related acts, policies and procedures applicable in GOSL and Asian Development Bank and identify the process of land acquisition applicable to the project
 - iv. Assist PMU to identify the land lots related to acquisition, or repossession and collect all information required for acquisition process. Prepare a database and reports regarding, individual land lots (DS division, GD division based), estimated values, ownerships, documents related to ownerships, Total extents and the total estimate etc.
 - v. Educate relevant PMU staff on Land related matters and evaluate the Land Acquisition related work, already carried out by the PMU.
 - vi. Assist PMU to solve Land related matters particularly Land Acquisition and repossession for railway upgrading based on the existing laws and regulations of the GOSL and ADB that apply to Land Acquisition
 - vii. Assist PMU to obtain estimates, finding values of land that will be acquired by the project
 - viii. Assist PMU to coordinate with relevant Ministries, Departments and agencies to obtain necessary acquisition related approvals
 - ix. Assist, provide information and advise the Social Safeguard Division and Land division of PMU regarding Land Acquisition related social safeguard process.
 - x. Assist PMU to liaise with Ministry of Land regarding all land related matters
 - xi. As stated in section 3 above, MoT&CA intends to engage a firm of international and national consultants (the Consultant) to study land value capture (LVC) and transit-oriented development (TOD) opportunities along the Kelani Valley Line. The National Consultant for Land Acquisition will study the scope of ToD and LVC consultancy and extend support for this endeavor by evaluating the legal and procedural requirements and advising the consultancy.
 - xii. Assist PMU to set up Land Asset Management System of PMU and make it operational in accordance with existing legislation and regulations.
 - xiii. Coordinate with the Railway Master Plan Consultancy
 - xiv. Support PMU regarding coordination of activities with other organizations such as RDA, UDA, SLR, SLLR&DC, CEA, Ministry of Lands, Survey Department, Valuation Department, Govt. Press, Land registry, Board of Review, Attorney Generals, State Banks (NSB) etc.
 - xv. Assist PMU to get Servitude right to use private lands as service roads during the period of construction.

C. Qualification & Experience

7. The consultant should have Bachelor degree with post graduate qualifications will be preferable. The consultant should have minimum 20 years of Government Land and other land related development and acquisition experience.

Table – 1: Required Expert

No.	Title	Relevant Experience and Qualification	Positions	Person-Months/days
National				
01	National Consultant for Land Acquisition/ Land Affairs	<ul style="list-style-type: none">• Bachelor degree with post graduate qualifications Min. 20 years' experience in a government service• 10 years' experience in Land Acquisition process matters.	1	120 working days of intermittent input over a period of 06. months

D. Consultant's Inputs

8. Total consultancy input will be 120 days spread over 6 months.

E. Output and Reporting Requirements

Table 2: Reporting Requirements

Report	Submission Deadline
1. Monthly Reports	Monthly from Commencement
2. Reports regarding individual Items/Sections	When requirement arises
3. Final Report	End of assignment

F. Facilities Provided by the Client.

THE CLIENT WILL PROVIDE:

- (i) Transport for Official visits, to and from office.
- (ii) Furnished air-conditioned office spaces (possibly in the PMU office itself)
- (iii) Relevant available data and reports.