

**Terms of Reference (TOR) for Consultancy Firm/Non-Government Organization
To prepare Involuntary Resettlement for Safeguards Implementation for the Kelani Valley
Railway Improvement Program Section 1 & 2 (Maradana to Nugegoda) of KV Rail Phase1**

A. Project Background

The government of Sri Lanka intends to improve the railway system in the Western Province, including the Colombo Metropolitan Region (CMR) in which 5.8 million people live. The population growth in CMR is expected to be 1.5% annually until 2035 and hence, CMR is facing growing traffic congestion. At present, the railway system carries about 13% of passenger transport within the CMR through long distance trains and commuter trains. To help ease traffic congestion. The government aims to increase the share of railway in the overall passenger and freight traffic substantially by improving and modernizing the Sri Lankan railway network in the CMR which covers four heavily congested major passenger corridors, namely Main Line, Coastal Line, Kelani Valley Line, and Puttlam Line.

In view of above situation and development of four major corridors, Ministry of Transport and Civil Aviation (MoTCA) and Sri Lanka Railways (SLR) are preparing the necessary projects to be considered for financing by the Asian Development Bank (ADB) under the Colombo Suburban Railway Project (CSRFP).

The Kelani Valley line extending from Maradana to Avissawella is 60 km in length with daily passenger volume of 14,600. This single-track railway line was originally narrow gauge and was converted to broad gauge along the same trace at a later stage. It has been identified that Padukka which is 35 km from Maradana is the best location to attract passengers from Horana Corridor. Therefore, by considering the present and future demands, the intension is to upgrade the railway line to double track up to Padukka and to rehabilitate the existing single track in the balance section up to Avissawella. MotCA has requested ADB to finance the Kelani Valley Railway Improvement Programme Phase 1 (KV Rail Phase 1) under a multitranche financing facility in 2020.

To prepare the programme for financing, MoTCA/SLR, has carried out an in-depth social survey and resettlement programme for KV Line. Cabinet approval was obtained to engage the United Nations Human Settlements Programme (UN-Habitat) to conduct socio-economic survey and prepare a resettlement plan (RP) for Maradana, Homagama section of the KV line. Further UNHabitat also is conducting socio-economic survey from Homagama to Padukka section. At present, UN-Habitat has completed socio-economic survey from Maradana to Homagama within the railway right-of-way (ROW)/project affected area and completed a social impact assessment and draft resettlement plan (RP) for that section. In the meantime, an ADB TA consultant has prepared Resettlement Framework (RF) for CSRFP. All RPs to be prepared for CSRFP will be based on this RF once it is approved by the government.

The CSRFP Project Management Unit (CSRFP-PMU) intends to establish Social Development Teams (SDTs) to support land acquisition and resettlement (LAR) planning for CSRFP, including KV Rail Phase 1. The social development teams will be supported under the Colombo Suburban Railway Efficiency and Improvement Project (CSREIP), which is expected to be approved by ADB in 2019.

In order to establish SDTs and assist to CSRFP-PMU on involuntary resettlement safeguards for CSRFP projects, it invites the services of eligible Consultancy Firms or Non-Government Organizations.

B. Consulting Services

The Consultancy Firm/NGO will establish first Social Development Team (SDT) to assist CSRFP-PMU to planning involuntary resettlement safeguards for section Maradana to Nugegoda of KV Rail Phase 1 in line with Government of Sri Lanka legal framework and the ADB Safeguard Policy Statement.

C. Scope of Work

The team will assist CSRP-PMU by establishing SDT to prepare resettlement implementation plan for section Maradana to Nugegoda of KV Rail Phase 1, and will also work closely with (a) Divisional Secretary and Grama Niladari responsible for impacted areas; (b) valuation officer deployed by the Chief Valuer; (c) Entitlement Assessment Committee (d) Ministerial Committee who defines the non-title holder beneficiaries; (e) Grievance Redress Committees; and (f) Project affected Persons (PAPs) representatives as well as the local authorities and relevant stakeholders. The consultancy firm/NGO will be responsible for the following activities:

- (i) With assistance of the representative of the Divisional Secretariat and Valuation officer and ministerial committee members, verify the information already contained in the UN-Habitat census and socio-economic survey and RIP to ensure that all (PAPs) are well recorded.
- (ii) Coordination with CSRP-PMU to prepare sectional/cluster working plans for implementing the RP that includes detailed guidelines on the release of compensation and other entitlements to PAPs in villages/community clusters.
- (iii) In close coordination with CSRP-PMU and the Grama Niladari, organize the public meetings and regular meetings with PAPs and in translating summary RPs into local language and disclosing RPs to ensure that PAPs especially Displaced Persons (DPs) have been given full information related with the RPs and the plan to implement the RPs and assist in disclosing the list of eligible DPs in prominent public places and record minutes and audio/ video recording of all meetings with PAPs.
- (iv) Submit all record/minute of meeting photographs video clips from all consultation meetings with DPs
- (v) Assist the CSRP-PMU and officials of divisional secretariat in obtaining options and choices for resettlement sites (if necessary), in preparing monitoring sheet to check whether the available resettlement sites/housing schemes are ready for occupancy of DPs.
- (vi) Update and maintain database of DPs with personal identification to be recorded, inventory of losses, detailed list of compensation and other allowances to be provided to them. Indicate the preferred site/housing scheme that each of them wants to move or to be relocated. This database should also include list of PAPs who opt to self-relocate.
- (vii) Assist CSRP-PMU in preparing individual entitlements and identity card to the eligible DPs. The identity card should include a photograph of PAPs, types of loss, and contact details of both PAPs and CSRP-PMU and STD contact points.
- (viii) Assist CSRP consultants to develop a comprehensive income restoration programme in consultation with PAPs
- (x) Assist in establishing the grievance redress mechanism (GRM)
- (xi) Assist the DPs in resolving their grievances through grievance redress committee (GRC).
- (xiii) Ensure that grievances are recorded and liaise with the GRM team so that grievances are addressed within the prescribed period.

C. Staffing Schedule

The table below details the required staffing structure for the assignment. Key personnel will be evaluated during the proposal evaluation stage. Consultant is required to submit CVs for the key personnel positions. Women should be included in the proposed staff.

| S/N | Position | No. of Position | Estimated Input in month per person | Estimated Total person months |
|-----|---|-----------------|-------------------------------------|-------------------------------|
| 1 | Team Leader cum Resettlement specialist | 1 | 24 | 24 |
| 2 | Livelihood Development Specialist | 1 | 24 | 24 |
| 3 | GIS/Database Management Specialist (Intermittent) | 1 | 12 | 12 |
| 4 | Resettlement Officer | 1 | 24 | 24 |
| 5 | Land Officer | 1 | 24 | 24 |
| 6 | Data Entry Operator | 2 | 24 | 48 |
| 7 | Resettlement and Livelihood Development Assistant | 1 | 24 | 24 |
| | | | 156 | 180 |

D. Key Indicative Tasks per Position

The position-based tasks specified for each of the positions is mentioned below. The tasks are indicative and consultant needs to propose its own working arrangement as a team based on the overall requirements in the TOR.

| S/N | Position | Key Task |
|-----|---|---|
| 1 | Team Leader cum Resettlement Specialist | Key tasks will include liaising with client in matters related to preparing RIP implementation plan and manage the teams in carrying out various tasks envisaged for KV Rail Phase 1 involuntary resettlement safeguards, including: (i) overall coordination of all involuntary resettlement safeguards activities (ii) conduct consultations periodically and disclose relevant project information in Sinhala and Tamil to the PAPs and other stakeholders (iii) assess the suitability of resettlement sites and amenities/facilities provided therein (iv) carry out HIV AIDS awareness campaigns and other social dimensions of the project on labour standards, as well as health and safety. (v) Review and submit monthly and quarterly progress reports. (vi) Attend progress review meetings at CSRP-PMU and be available during visit of ADB officials and external monitor |
| 2 | Livelihood Development Specialist | The Livelihood Development Specialist will be responsible for scoping and identifying suitable income generating schemes to upgrade and diversify PAPs' livelihoods |
| 3 | GIS/Database Management Specialist | Perform all GIS/database related needs for the assignment |
| 4 | Resettlement Officer | The resettlement officer will be fielded in specific clusters along the first section of KV Rail Phase 1 alignment and will be the single point contact for PAPs seeking clarification on eligibility, entitlement, RP implementation schedule and GRM. He will be in charge of the cluster SDT, and will assist CSRP-PMU in: (i) verification of DPs (ii) updating of census and socio-economic survey data (iii) updating/appending the survey data in the database (iv) disclosing the list of the RP including details of contact of GRC (v) facilitating the revenue cell and CSRP-PMU in identifying suitable sites for resettlement |

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|---|---|---|
| | | <p>(vi) identifying amenities and facilities required at resettlement site</p> <p>(vii) assisting PMU in getting the ID cards prepared, including PAP bank particulars</p> <p>(viii) obtaining relocation options from DPs, wherever applicable</p> <p>(ix) preparing list of eligible DPs for dissemination;</p> <p>(x) assisting CSRP-PMU in disclosing draft list of PAPs along with details of impact and entitlements (micro plan)</p> <p>(xi) assisting CSRP-PMU and in receiving and hearing concerns and complains with regard to draft list of entitlements published</p> <p>(xii) providing guidance and counselling to PAPs</p> <p>(xiii) facilitating disclosure of relevant information in a timely manner in Tamil</p> <p>(xiv) holding periodic consultations with PAPs</p> <p>(xv) identifying suitable training for skill development.</p> <p>Will also assist DPs in approaching the GRC, whenever required, and assist CSRP-PMU in maintaining a record of grievances received/lodged and action taken/compliance.</p> <p>Attend monthly review meetings at CSRP-PMU and be available during visit of ADB and external monitor</p> |
| 5 | Land Officer | <p>The Land officer will be fielded in specific clusters along the first section of KV Rail Phase 1. He will be responsible for all the matters related to the land and land acquisition.</p> <p>Will also assist DPs in approaching the GRC, whenever required, and assist CSRP-PMU in maintaining a record of grievances received/lodged and action taken/compliance.</p> <p>Attend monthly review meetings at CSRP-PMU and be available during visit of ADB and external monitor</p> |
| 6 | Data entry operator | <p>Maintain PAPs database and update periodically</p> <p>To assist to the team in FPIU with all computer application and office functions in coordination with PMU safeguard division</p> |
| 7 | Resettlement and Livelihood Development Assistant | <p>To assist the SDT in involuntary resettlement and livelihood development activities in the assigned cluster</p> |

E. Qualification & Experience per Position

Qualification and experience requirements for each position are listed below.

| No | Staff | Qualification & Experience |
|----|---|---|
| 1 | Team leader cum Resettlement Specialist | <p>Minimum:</p> <ul style="list-style-type: none"> • Postgraduate degree in social science preferably in Sociology/ Anthropology or other relevant degree. • Ten years' overall experience and at least five years' experience with three linear projects experience in planning, implementing or monitoring in involuntary resettlement, rehabilitation and land acquisition activities related to the external donor funded projects. Proficient in Sinhala and English. • Good understanding of land acquisition process of Government of Sri Lanka and ADB rules, regulations and policies • Experience in working in urban slum and shanty rehabilitation is an added qualification. |

| No | Staff | Qualification & Experience |
|----|---|---|
| 2 | Livelihood Development Specialist | Minimum: <ul style="list-style-type: none"> • Bachelor's degree in Social Science (Sociology/Anthropology/Development Studies). • 10 years of minimum professional experience • 6 years of minimum relevant experience in at least 3 linear projects by implementing livelihood restoration activities for resettled communities. Previous experience in external donor funded projects are strongly preferred. |
| 3 | GIS/Database Management Specialist | Minimum: <ul style="list-style-type: none"> • Bachelor's degree in computer application/GIS or related fields • Three years of minimum professional experience • Proficient in operating computer application and ability to manage database (GIS). • Working Knowledge in English and proficient in local language |
| 4 | Resettlement Officer | Minimum: <ul style="list-style-type: none"> • Bachelor's degree in Social Science (Sociology/Anthropology/Development Studies). Postgraduate degree in social science is preferred • Four years of relevant experience, 2 years of minimum relevant experience in at least one linear project in involuntary resettlement and rehabilitation. • Previous experience in external donor funded project is strongly preferred. • Also, Good understanding of land acquisition process of Government of Sri Lanka and ADB rules, regulations and policies • Knowledge and ability to use computer applications |
| 5 | Land officer | Minimum: <ul style="list-style-type: none"> • Bachelor's degree in Social Science or relevant field • Four years of minimum relevant experience, 2 years of minimum relevant experience in at least one linear project in land acquisition. Previous experience in external donor funded project is strongly preferred • Also, Good understanding of land acquisition process of Government of Sri Lanka and ADB rules, regulations and policies • Knowledge and ability to use computer applications |
| 6 | Data entry Operator | Minimum: <ul style="list-style-type: none"> • Diploma in computer application in NVQ level 4 • Proficient in operating computer and Microsoft Word, Excel and Access. Ability to design and manage database. • Two years of minimum working experience in reputed institution/organization • Working knowledge in English and proficient in local language |
| 7 | Resettlement and Livelihood Development Assistant | Minimum: <ul style="list-style-type: none"> • Bachelor's degree or equivalent in social sciences or relevant field • Knowledge of local language and experience of working in the region is essential • Knowledge and ability to use computer applications |

F. Timeframe for Services

The team will be engaged for 24 months from the date of commencement expected to be August 2019.

G. Deliverable Outputs and Payment

| S/N | Output | Performance Schedule |
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| 1 | Upon Approval of Inception report | At the end of 1 st month from commencement of services |
| 2 | Joint verification of assets within RoW, dissemination and distribution of Entitlement Matrix, issue of Identity card for eligible PAPs Submission of monthly work Plans, Monthly Progress Report and Quarterly Progress Retorts (Submit all record/minute of meeting photographs video clips from all consultation meetings with DPs with quarterly reports) | At the end of 3 rd month from commencement of services |
| 3 | On approval of interim report summarizing the action taken to confirmation of Title Holders/ Non-Title Holders and approval of the same by DS or/and Ministerial Committee, final data analysis report containing additional and or missing census details Submission an orientation program to adapt to the behavior in condominium life. Submission of monthly work plans, Monthly Progress Report and Quarterly Progress Retorts (Submit all record/minute of meeting photographs video clips from all consultation meetings with DPs with quarterly reports) | At the end of 10 th month from commencement of services |
| 4 | Training and need assessment for income restoration, submission of monitoring and evaluation schedule of PAPs on livelihood restoration programs. Implementation of the orientation programs to adapt to the behavior in condominium life and implement it with relevant stakeholders, implementation of the income restoration program and relocation process, Submission of monthly work Plans, Monthly Progress Reports and Quarterly Progress Retorts. (Submit all record/minute of meeting photographs video clips from all consultation meetings with DPs with quarterly reports) | At the end of 20 th month from commencement of services |
| 5 | On approval of Draft final report summarizing the action taken and resettlement implementation plan works to be fulfilled Consultant submission of monthly work plans. Monthly Progress Reports and Quarterly Progress Retorts. (Submit all record/minute of meeting photographs video clips from all consultation meetings with DPs with quarterly reports) | At the end of 21 st month from commencement of services |
| 6 | On approval of final report summarizing the action taken and RAP implementation works to be fulfilled by consultancy firm/ NGO, submission of monthly work plans, Monthly Progress Reports and Quarterly Progress Retorts. (Submit all record/minute of meeting photographs video clips from all consultation meetings with DPs with quarterly reports)if any | At the end of 24 th month from commencement of services |

H. Clients inputs and counterpart personnel

CSRPMU will provide details of area that will be affected due to project activities and provide all relevant reports to the selected team. Further, PMU staff will be attached to SDTs to work with the consultancy team.

All facilities required in the performance of the assignment, including office space, office stationery, transportation and accommodation for staff shall be arranged by consultancy firm/NGO.