



**Detailed Terms of Reference as well as EOI Document  
For**

**Land Acquisition, Land Development and Protection for Patuakhali  
1320 MW Super Thermal Power Plant project of APSCL.**

**March 10, 2018**


## INSTRUCTION TO THE APPLICANTS

1. Application of the interested firms must include:

- i) In case of Joint Venture/Consortium/Association Agreement (JVCA), name of the Lead Firm & Associated Firm with complete address, Cable, Fax, Telephone Nos., E-mail address etc. should be mentioned;
- ii) In case of Joint Venture/Consortium/Association Agreement (JVCA), notarized Joint Venture/Consortium/Association Agreement (JVCA) on Non-Judicial Stamp of the firms for the said consulting service. The value of Non-Judicial Stamp should be Taka 300.00 (Taka Three hundred);
- iii) No firm should form Joint Venture / Consortium / Association (JVCA) with more than one firm;
- iv) The name of the employees/owner(s) of the firms and corporate profile of the firms;
- v) The name and qualification of the Management/Administrative Personnel;
- vi) Brochures should be submitted by the Applicants, summarizing their facilities and areas of expertise;
- vii) Description of similar assignments;
- viii) Supporting documents should be submitted by the Applicants, proving experience in similar operating environments and conditions;
- ix) Documentary evidence proving Managerial strength and financial capacity (Summary sheet of Turn Over statement and year wise Audited financial reports of the applicant) should be submitted by the Applicant.
- x) List and qualification of the key-personnel likely to be involved in the proposed consulting service. The proposed fields of expertise for the said consulting service would be at least the following:

Sl. No.	Position	Number of Persons	Staff Months
1.	Project Manager /Team Leader	1	5.0
2.	Environmental, Social and Resettlement Expert	1	5.0
3.	Data Analyst/MIS Specialist	1	4.0
4.	Area Manager/Supervisor	1	9.0
5.	Field Resettlement Worker	3	27.0
6.	Data Entry Operator	1	9.0
7.	Accounts Officer	1	4.0
Total:		9	63.0

- (xi) Identity, Structure, Organization of the firm(s) including copies of the documents defining the constitution or legal status, place of registration and principal places of business and/or principal offices of the company/firm.
  - (xii) Details of all ongoing "similar works" & time period for completion of each work.
  - (xiii) Audited Financial Statements of the firm for the last five years viz. Balance Sheet, P&L account etc.
  - (xiv) The EOIs would be reviewed on the basis of the following:
    - Brochures submitted by the Applicants summarizing their facilities and areas of expertise;
    - Descriptions of similar assignments;
    - Experience in similar operating environments and conditions
    - Availability of appropriate experience and professional qualifications among Applicant's staff and adequate resources to carry out the assignment; and
    - Managerial strength and financial capacity (Summary sheet of Turn Over statement and year wise Audited financial reports of the applicant).
2. Applicant must submit the above-mentioned information using the attached table/format [Annexure-1 to 6] with the document. The submitted document must be sealed and signed by a person duly authorized by the consulting firm.

  
(Md. Rafiquddaulla)  
Manager (Procurement)

Ashuganj Power station Company Ltd.  
Ashuganj, Brahmanbaria, Bangladesh.

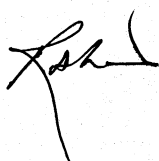
**Specimen form for Similar Experience of the Firm**

The following format should be used to indicate the execution of "similar works" in the past 15 years.

Project Name		
Project Location	Start Date (M / Y)	Completion Date (M / Y)
Name of the Client with address and Contact number		
Contract amount		
Name of the associated firm (if any)		
Narrative description of actual service provided by the firm for the project:		

Name of the Firm.....

Signature.....




**Experience of the firm in other works (for last ten years).**

Sl. No.	Name of Services	Name of Client with address and Contact number	Contract amount	Start date	Completion time



**Details of all ongoing "Similar works" & time period for completion of each work**

Sl. No.	List of Ongoing Similar works	Completion Time Period	Present Condition



## Curriculum Vitae (CV) for Each Proposed Professional Staff

1	PROPOSED POSITION FOR THIS PROJECT	<i>[From the Terms of Reference, state the position which the Consultant will be engaged. Only one candidate shall be nominated for each position].</i>																		
2	NAME OF PERSON	<i>[state full name]</i>																		
3	DATE OF BIRTH																			
4	NATIONALITY																			
5	MEMBERSHIP IN PROFESSIONAL SOCIETIES	<i>[state rank and name of society and year of attaining that rank].</i>																		
6	EDUCATION:	<i>[list all the colleges/universities which the consultant attended, stating degrees obtained, and dates, and list any other specialised education of the consultant].</i>																		
7	OTHER TRAINING	<i>[indicate significant training since degrees under EDUCATION were obtained, which is pertinent to the proposed tasks of the consultant].</i>																		
8	LANGUAGES & DEGREE OF PROFICIENCY	Language	Speaking	Reading	Writing															
		<i>e.g. English</i>	<i>Fluent</i>	<i>Excellent</i>	<i>Excellent</i>															
9	COUNTRIES OF WORK EXPERIENCE																			
10	EMPLOYMENT RECORD	<p><i>[The Consultant should clearly distinguish whether as an "employee" of the firm or as a "Consultant" or "Advisor" of the firm].</i></p> <p><i>[starting with position list in reverse order every employment held and state the start and end dates of each employment]</i></p> <p><i>[The Consultant should clearly indicate the Position held and give a brief description of the duties in which the Consultant was involved].</i></p> <table border="0"> <tr> <td>EMPLOYER 1</td> <td>FROM:</td> <td>TO:</td> </tr> <tr> <td></td> <td><i>[e.g. January 2009]</i></td> <td><i>[e.g. December 2012]</i></td> </tr> <tr> <td>EMPLOYER 2</td> <td>FROM:</td> <td>TO:</td> </tr> <tr> <td>EMPLOYER 3</td> <td>FROM:</td> <td>TO:</td> </tr> <tr> <td>EMPLOYER 4 (etc)</td> <td>FROM:</td> <td>TO:</td> </tr> </table>				EMPLOYER 1	FROM:	TO:		<i>[e.g. January 2009]</i>	<i>[e.g. December 2012]</i>	EMPLOYER 2	FROM:	TO:	EMPLOYER 3	FROM:	TO:	EMPLOYER 4 (etc)	FROM:	TO:
EMPLOYER 1	FROM:	TO:																		
	<i>[e.g. January 2009]</i>	<i>[e.g. December 2012]</i>																		
EMPLOYER 2	FROM:	TO:																		
EMPLOYER 3	FROM:	TO:																		
EMPLOYER 4 (etc)	FROM:	TO:																		
11	WORK UNDERTAKEN THAT BEST ILLUSTRATES YOUR CAPABILITY TO HANDLE THIS ASSIGNMENT	<i>[give an outline of experience and training most pertinent to tasks on this assignment, with degree of responsibility held. Use about half of a page A4].</i>																		

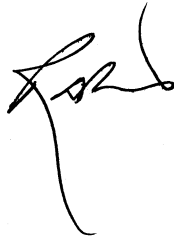
**CERTIFICATION** *[Do not amend this Certification].*

I, the undersigned, certify that (i) I was not a former employee of the Client immediately before the submission of this proposal, and (iii) to the best of my knowledge and belief, this bio data correctly describes myself, my qualifications, and my experience. I understand that any wilful miss-statement described herein may lead to my disqualification or dismissal, if engaged.

Signature

Date of Signing

Day / Month / Year



**Name and Qualification of Management/Administrative Personnel**

Serial No	Name of the Personnel	Position at the Firm	Temporary/ Permanent	Educational Qualification	Experience in years





**Financial Statement****Summary of Assets & Liabilities:**

Sl. No.	Year	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017
1	Total Assets					
2	Total Liabilities payment					
3	Total investment					
4	Operative Expenditure					
5	Taxes Paid					
6	Profit after payment of Taxes					
7	Turnover [Sl. No. 2+3+4+5+6]					




## **Description of the Services [TOR]**

Terms of Reference for Land Acquisition, Land Development and Protection for Patuakhali 1320 MW Super Thermal Power Plant Project, APSCL.  
**Resettlement Assistance Consultant (RAC)/NGO**

### **1. Project Background**

Bangladesh Government's vision is to provide access to affordable and reliable electricity to all by the year 2021 and in line with this government's mission is to ensure uninterrupted and quality power supply for all by 2021. The Power System Master Plan (PSMP 2016) recommends a diversification of fuel used in electricity generation as natural gas reserve is depleting fast and accordingly the Government of Bangladesh has a plan to reach a capacity of 40,000MW of electricity by 2030 and half of which (20,000 MW) will be generated from coal to reduce the dependency on natural gas.

APSCL, a vital government owned and an enterprise of Bangladesh Power Development Board is a Power Generation Company located at Ashuganj, Brahmanbaria. Its total installed capacity is 1734 MW. APSCL is contributing low cost power to the grid. To cope up with the government vision of power generation it has set a target to increase generation to 3800 MW by 2021 and 6500 MW by 2030. APSCL intends to construct a 1320MW coal fired plant which will be extended up to 4000 MW.

The proposed power plant project will be located at Debpur-Dhankhali-Panchjunia-Chalitabunia Mouza, Dhankhali-Champapur Union, Kalapara Upazila in Patuakhali District, Bangladesh. The site is located on the western bank of Rabnabad Channel. On its south, there are three more organizations namely Shena Kallayan Sangastha (SKS), Rural Power Company Limited (RPCL) & Northwest Power Generation Company Limited (NWPGL). All the above mentioned organizations are progressing to construct the coal fired power plants of capacity 2x660 MW each.

In this regard, China Energy Engineering Construction Limited (Energy China) and APSCL has been signed a MOU (Memorandum of Understanding) on 13<sup>th</sup> July, 2017. As a consequences of MOU, both APSCL and Energy china is processing to form a joint venture company for running this project successfully. In connection of that project APSCL is implementing a project named "Land Acquisition, Land Development and Protection for Patuakhali 1320 MW Super Thermal Power Plant Project" financed by Government of Bangladesh (GoB).

### **2. Description of the Project & Impacts**

APSCL will acquire about 930.615 acres of land for the construction of a coal-fired power plant at Debpur-Dhankhali-Panchjunia-Chalitabunia Mouza, Dhankhali-Champapur Union, Kalapara Upazila in Patuakhali District, Bangladesh. The land acquisition process is going on. Among the 930.615 acres land 515.605 acres land has been approved by Govt. for acquisition. Rest of the land will be acquire within June 2018. The proposed coal-fired power plant is initially planned



for a capacity of about 1320 MW with provisions of another power plant of similar capacity to be built in the near future.

The site is located on the western bank of Rabnabad Channel. On its south, there are three more organizations namely Shena Kallayan Sangastha (SKS), Rural Power Company Limited (RPCL) & Northwest Power Generation Company Limited (NWPGL). All the above mentioned organizations are progressing to construct the coal fired power plants of capacity 2x660 MW each.

The proposed project site (The Site) distance is approximately 353 km From Dhaka, 100 km from Barisal and 53 km from Patuakhali district.

This project will be implemented through environment friendly way and supply clean energy to people. Which will be help in human resource development as well as achieved the target of sustainable development goal.

### **3. Objectives of Resettlement Plan**

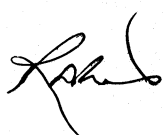
The Ashuganj Power Station Company Limited (APSCL) under the Ministry of Power Energy and Mineral Resources (MoPEMR) is the Executing Agency (EA) responsible for implementing Resettlement Assistance Program (Assessment and Implementation of Compensation Plan for Livelihood & Income-Loss Restoration and Resettlement) for affected People of the project named "Land Acquisition, Land Development and Protection for Patuakhali 1320 MW Super Thermal Power Plant Project".

APSCL will establish a Project Management Unit (PMU) for the Project and an experienced implementing NGO/Social Consultancy Firm shall be hired by APSCL to assist them in implementation of resettlement program. The NGO/Social Consultancy Firm will collect information regarding resettlement issue by detailed survey, computerize and process data for identification of eligible persons correctly for resettlement benefits and assess their entitlements as per Land Acquisition and Resettlement Action Plan (LARAP) policy.

NGO/Social Consultancy Firm is viewed particularly useful in the following areas:

- (i) Gathering and sharing information during implementation to establish transparency.
- (ii) Information campaign and community participation.
- (iii) Strengthening capacity of Executing Agency (EA) to deliver services and to implement resettlement plans.
- (iv) Preparing Training Need Assessment (TNA) for Project Affected Persons (PAPs) and providing training to them for ensuring the development of capacity building of the Affected Persons (APs).

NGO /Social Consultancy Firm inputs are particularly important involving local people, women/vulnerable groups in addressing resettlement related concerns and benefit monitoring.



#### 4. The Project Area and Site

The Project Area and Site is shown in Table-1 for your reference to prepare the technical/financial proposals.

Table 1: The Project Area and Site as follows

Project Component	Acquired Land (Acre)	Location
Power Plant	930.615	Debpur-Dhankhali-Panchjunia-Chalitabunia Mouza, Dhankhali-Champapur Union, Kalapara Upazila, Patuakhali District.

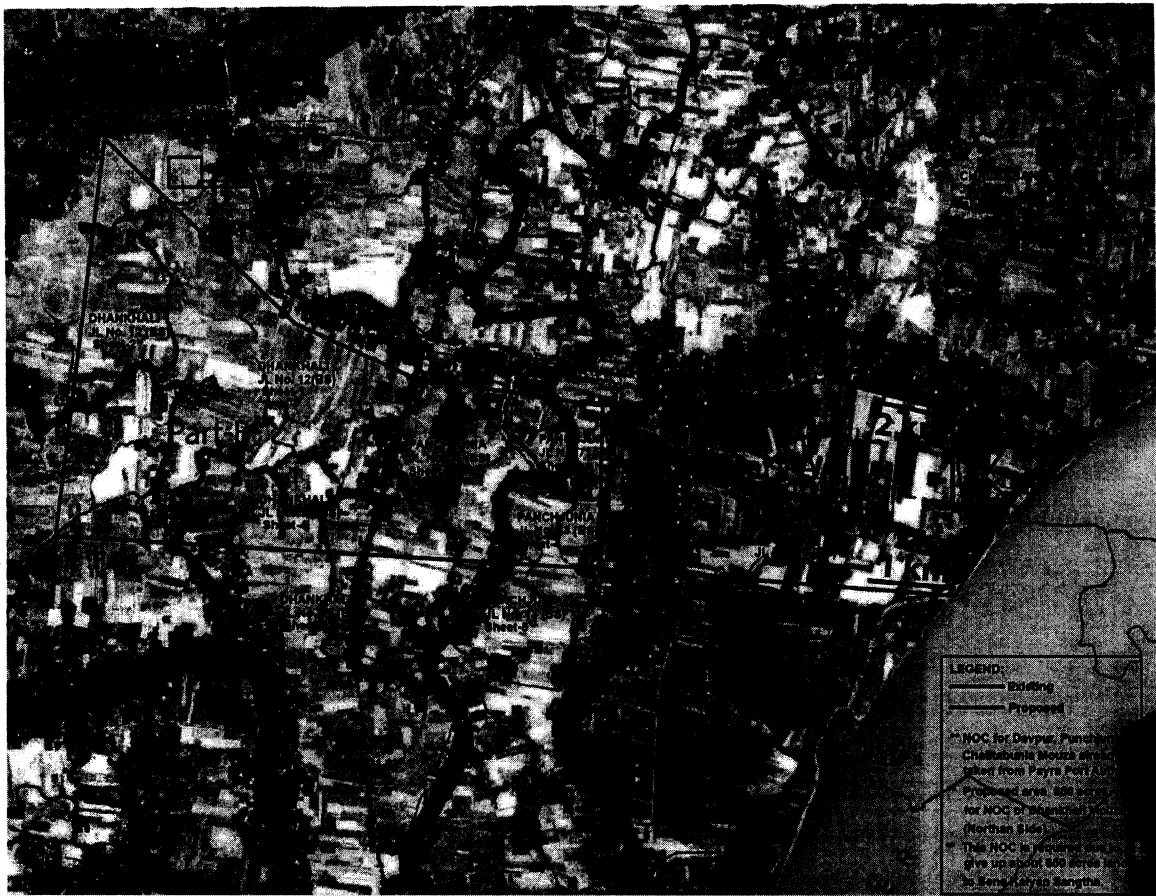


Figure-1: Location of the Project

#### 5. Implementation Framework

APSCL is the Employer and the implementing agency of the Project. The Employer will establish Resettlement Unit, which will be the counterpart of Resettlement Assistance Consultant RAC/NGO. All investigation will be carried out by RAC/NGO involving Local Authorities. APSCL will supervise and monitor the RAC's/NGO's activities.

## **6. Scope of works**

RAC/NGO will provide its services as follows. Throughout the services, the RAC/NGO will maintain close coordination with the proper authorities/parties.

- Activity – I : Identification of Project Affected Households (PAHs) & Project Affected Persons (PAPs) and collection of additional key information regarding Project Affected Households (PAHs) & Project Affected Persons (PAPs).**
- Activity – II : Preparation of RAP (Resettlement Action plan) including livelihood and income loss restoration plan.**
- Activity – III : Implementation of RAP (Resettlement Action Plan).**

The details of the following activities is given below:

**Activity – I : Identification of Project Affected Households (PAHs) & Project Affected Persons (PAPs) and collection of additional key information regarding Project Affected Households (PAHs) & Project Affected Persons (PAPs).**

**Task – A : Dissemination of Resettlement Assistance Policy**

Following socioeconomic assessment, RAC/NGO will conduct dissemination of the land acquisition as well as resettlement assistance policy to the Project Affected Households (PAHs)/Project Affected Persons (PAPs)/commercial entities (collectively "Project Affected Persons (PAPs)") which may be affected by the Project. Information dissemination campaign would include such measures as distribution of information booklets, leaflets, notices and other materials among the Project Affected Persons(PAPs), carrying out community meetings, public announcements and any other measures necessary to provide information to possible Project Affected Persons(PAPs) in the project area.

**Task – B : Identification of Project Affected Households (PAHs)/Project Affected Persons (PAPs)**

Based on the basic design carried by General Consultant (GC), which defines the alignment, right of way, and the boundary of project area, RAC/NGO will finalize identification of Project Affected Persons (PAPs shall be approved by the Employer/APSCL) including Non-titled and the Entitled Persons (EPs). The Employer would be issued the identification card to Entitled Persons (EPs) in such a form with such size of the photographs defined by the Employer. The photograph shall be attested by the representative of the Local Government's Institution (LGI) and signed jointly by the authorized officer of Employer and RAC/NGO.

**Task – C : Identification of Non-Title Holders**

Non-title holders are also eligible for RAP (Resettlement Action Plan). According to the Entitlement Policy and procedures to be determined by the Employer and the relevant authority, non-title holders shall be recognized as Entitled Persons (EPs), those who will be entitled to get Entitlement Cards (ECs) to be issued by employer in association with RAC/NGO. RAC/NGO shall assist the Employer in identification and entitlement of non-title holders.

**Task – D : Profiling Project Affected Households (PAHs)/Project Affected Persons (PAPs)**

During identification of Project Affected Households (PAHs)/Project Affected Persons (PAPs), RAC/NGO shall establish the Management Information System (MIS). RAC/NGO will prepare the Entitlement Card (ECs) to make profile on the issue of land/property, estimated compensation, socioeconomic information etc. and incorporate the information into MIS.

**Task – E : Training on Resettlement**

The selected NGO/RAC will organize a short training program for the core officials involved with implementation of Resettlement Unit (RU) as part of capacity building of APSCL. NGO/RAC will prepare Training Need Assessment (TNA) including budget for the Project Affected Persons (PAPs). All planning activities for the training will be reviewed by APSCL.

**Activity – II : Preparation of RAP (Resettlement Action Plan) including livelihood and income loss restoration plan.**

**Task –A : Preparation of RAP (Resettlement Action Plan) including livelihood and income loss restoration plan**

RAC/NGO Will prepare the revised Resettlement Action Plan (RAP) including livelihood and income loss restoration plan to cope with LARAP (Land Acquisition and Resettlement Action Plan), and Particular attention shall be paid to:

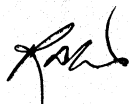
- Compensation framework
- Resettlement assistance and livelihood activities
- Budget and Implementation Schedule
- Organizational Responsibilities
- Consultation and participation
- Grievance Redress
- Monitoring and evaluation
- Preparing livelihood and income loss restoration plan for Project Affected Persons(PAPs)

RAC/NGO will prepare a MIS for monitoring and evaluation program for RAP implementation during their contract period. RAC/NGO will work on the relevant issues under the guidance of APSCL through their consultants.

**Activity – III : Implementation of RAP (Resettlement Action Plan).**

**Task – A : Participation into Joint Assessment**

Prior to finalization of RAP, the Joint Verification Team (JVT), the Property Valuation Advisory Committee (PVAC) and the Grievance Redress Committee (GRC) shall be established through active participation of RAC/NGO. RAC/NGO will also assist the Employer for his review and approval in cost estimates for RAP through assistance for the Joint Verification Team (JVT) and the Property Valuation Advisory Committee (PVAC).



**Task – B : Information Dissemination**

Prior to implementation of RAP, Project Affected Persons (PAPs) shall be informed of: procedures of payment terms and conditions of compensation/resettlement benefits, required documents to be submitted/prepared, and grievance redress. RAC/NGO shall provide such information through written materials, consultation, and meetings with Project Affected Persons (PAPs).

A Bangla booklet containing the total compensation package as was outlined in the RAP (Resettlement Action Plan), procedures and places of payment and all other relevant information must be circulated by the NGO/RAC within three months of field placement. If possible this may be prepared by the NGO/RAC before going to the field and be circulated during the 3rd week of field work. These above stated procedures will significantly help the NGO/RAC for performing their activities in a better social environment. The main contents of this Bangla Booklet are:

- (i) Background of the Project
- (ii) An Overview of the Project
- (iii) Expected Benefits to be Derived
- (iv) Affected Persons and Properties
- (v) How the Losses will be Mitigated
- (vi) Principles of Relocation and Rehabilitation
- (vii) Compensations and Grants
- (viii) Project Affected Persons(PAPs) Participation in Implementation
- (ix) Procedure of Payment of Compensation
- (x) Grievance Redress System
- (xi) Types of Documents needed by the Non-titled and Entitled Persons (EPs)
- (xii) The Entitlement Matrix
- (xiii) Concluding Remarks
- (xiv) The name and addresses including cell numbers of the NGO/RAC and APSCL officials responsible for implementation of the project shall be included in the information booklet
- (xv) Livelihood and income loss restoration plan

**Task – C : Assistance during Resettlement Process**

During implementation of RAP (Resettlement Action Plan), RAC/NGO shall assist in the following:

- 1) Informing Effected Persons (EPs) of the legal documents required for claiming compensation from Deputy Commissioner's (DC) office and Project office, review the legal document and reconcile to the current status in terms of formality, proof of purchase/sale, inheritance, and usufruct;



- 2) Informing particularly vulnerable Project Affected Persons(PAPs), how they will be compensated: by cash and/or kind; options can be chose; how to apply them;
- 3) Informing that Effected Persons (EPs) can be entitled with benefits: e.g. reimbursement of stamp duties related to land purchases; tube well; sanitary latrine; and saplings may be lost by resettlement and all kinds of resettlement benefits.

**Task – D : Assistance for Grievances Redress**

By understanding of importance of personal rapport with Project Affected Persons (PAPs), RAC/NGO will:

- 1) Ensure that the Project Affected Persons(PAPs) are fully aware of the grievance redress procedure and the process of bringing their complaints to the grievance redress committee (GRC);
- 2) Assist the Project Affected Persons(PAPs) in any usual manner (e.g., preparing applications, accompanying them to the hearing and explaining the grievance to the GRCs and the like) to bring the complaints to the committee;
- 3) Impartially investigate the veracity of the complaints and try to settle them amicably, fairly and transparently before they go to the redress committee or the courts of law;
- 4) Pay special attention to problems and needs of the vulnerable RAPs.

**Task – E : Assistance of Disbursement**

RAC/NGO shall assist disbursement of compensation. Cash Compensation under Law (CCL) shall be conducted according to the relevant rules and regulations. RAC/NGO shall assist in disbursement of Cash Compensation under Law (CCL) against the proper procedure and documentation regarding resettlement issue. RAC/NGO shall also assist in estimation and in consultation with Effected Persons (EPs) on additional grants. Such estimation and payment shall be reviewed and approved by the Employer.

**Task – F : Hand-over and Notice for Encumbrance Free**

Given that completion of compensation to Effected Persons (EPs), the notice for Encumbrance Free issued by the Local Authority and agreed and signed by Effected Persons (EPs). RAC/NGO shall witness the notice and signing and keep record into MIS.

**Task – G : Implementation of RAP**

According to preparation under Task 1 of Activity 2, RAC/NGO shall implement RAP (Resettlement Action Plan). According to socio-economic assessment, RAP (Resettlement Action Plan) should be properly designed to match needs of Project Affected Persons (PAPs), particularly vulnerable ones.






## **Task – H : Reporting**

Among other deliverables, RAC/NGO shall submit the Progress Report which includes:

- Status of major notices
- Number of Effected Persons (EPs)
- Progress of disbursement for Cash Compensation under Law (CCL) and additional benefit
- Progress of resettlement and status of resettled residents
- Activity on RAP (Resettlement Action Plan)
- Progress of livelihood and income restoration program.

## **7. Information Management**

The selected NGO/RAC will collect Socio Economic Survey (SES) data related to the pre-acquisition condition of the PAP households and the nature and magnitude of all categories of losses as well as the compensation thereof to be determined by DC (Deputy Commissioner) and the Joint Verification Teams (JVT). They will conduct supplemental survey to collect socio-economic data required for updating all the data and incorporate into final design. All essential information will have to be generated by using one or more menu-driven Management Information System. Among other things, the NGO/RAC will:

1. Maintain computerized baseline socioeconomic databases and collect supplementary information as and when necessary and update them, during the course of implementation.
2. Collect and computerize data on individual losses and the compensation thereof, as determined by DC (Deputy Commissioner) and the Joint Verification Teams (JVT) for all legally and socially recognized Entitled Persons.
3. Collect and computerize all information on market survey and assessment of property and their owners by the PVAT (Property Valuation Advisory Team), process data and compile reports for the PVAT (Property Valuation Advisory Team) recommending replacement market price of land and other property.
4. Collect and computerize all information related to different types of payments and additional supports provided to the entitled person (EP) and update the entitled person (EP) file and Entitlement Card (EC).
5. Prepare 'Entitlement Card (EC)' for the individual Effected Persons (EPs) as per their types of losses and the amount of compensation due for each type of loss from legal title and the amount of compensation if any, to be paid by APSCL through NGO/RAC as well as other non-monetary entitlements.
6. Prepare and issue Identification Cards for each entitled person (EP) {including direct and indirect Effected Persons (EPs)}, containing his/her photograph (to be taken by the NGO/RAC itself) and other vital information.
7. Record and maintain details of the issues/ disputes causing delay in the disbursement/receipt of compensation and the persons involved in them, including the cases brought to the courts of law.
8. Document information on the cases, with reasons, brought to and resolved by the GRC (Grievance Redress Committee), with decisions going in favor of or against the complainants.

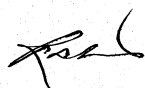


9. Collect and maintain relocation information on the homestead losers by categories of entitled person (EP) households such as legal owners, licensees, squatters and others.
10. Maintain information on purchase of replacement home lot and other lands as well as the stamp duties reimbursed by the APSCL.
11. Collect and maintain information on physical, social and institutional infrastructure and amenities (latrines, tube wells, etc.), if any, that might be provided by APSCL.

## **8. Progress Report**

The RAP (Resettlement Action Plan) requires that all Project Affected Persons (PAPs) are paid the stipulated compensations/entitlements before they are evicted from the properties and/or construction work begins. The selected NGO/RAC will provide APSCL monthly report on the progress in RAP (Resettlement Action Plan) implementation, including any issue that might be hindering progress, separately for each section. The report will be brief consisting of both quantitative and qualitative information on:

1. The NGO/RAC in its report should reflect the status of issuance of the major notices (e.g. 3, 6, 7) by DC (Deputy Commissioner) under the acquisition law, maintain a land register with valuation of the affected properties, placement of funds with DC (Deputy Commissioner) by APSCL etc.
2. Total number of Effectuated Persons (EPs) identified by DC (Deputy Commissioner) for Cash Compensation under Law (CCL) and the cumulative progress made in disbursement of Cash Compensation under Law (CCL) by loss categories.
3. Total number of Effectuated Persons (EPs) (recognized by DC) eligible for additional payment from APSCL and cumulative progress made in payment by loss and entitlement categories.
4. Number of vulnerable affected households and estimates of the number of such and other households choosing 'compensation in kind' under the 'cash-or-kind' option specifics of such choices and the progress made in implementing the related policies.
5. Total number of the Effectuated Persons (EPs), who are not covered by the law (but are socially recognized owners/users of the affected properties), identified for compensation/entitlement from APSCL and cumulative progress made in disbursement by loss and entitlement categories.
6. Number of cases received by the Grievance Redress Committee (GRC) indicating the types of grievance with decisions made in favor of or against the complainants. The follow up of the decisions of the GRC (Grievance Redress Committee) is to be inserted in the report.
7. Total number of home lot losers needing relocation and resettlement provisions is stipulated in the RAP (Resettlement Action Plan).
8. Any other issues that are relevant to implementing the policies stipulated in the RAP (Resettlement Action Plan).
9. The selected NGO/RAC will design tabular and other formats appropriate for reporting on the above information. To the extent possible, the tables will have to be preprogrammed in the menu-driven MIS and the quantitative reports will have to be generated directly. The format will have to be approved by the project authority and the weightage of the activities of NGO/RAC is to be included in the report.




## **9. Reporting Requirements/ Deliverables**

The selected NGO/RAC appointed by APSCL for implementation of the RAP (Resettlement Action Plan) will report to General Consultant, the Project Implementation Unit (PIU) under APSCL. Each report shall set forth concise statement concerning the activities relevant to the jobs and will inclusion along with monthly information.

1. A clear and complete account of work performed in each project component;
  2. Work planned for the next reporting period;
  3. Status of funding and utilization;
  4. Identification of any challenges encountered or anticipated that would affect the completion of the project within the time and money constraints set forth in the agreement, together with recommended solution to such problems.
- A mid-term report including financial provisions shall also be prepared for the project by the NGO/RAC. This report should summarize progress, present the results of the strategic planning process, identify any potential problems or issues and provide details of the work to be completed over the remaining project period. The NGO/RAC will be encouraged to produce working papers and technical papers throughout the implementation period after the project starts.
  - A completion report shall be submitted to APSCL when livelihood activities finished.

Following deliverables shall be submitted to the Employer along with soft copies (CD):

1)	Inception Report	Within 15 days after commencement	5(1 original,4 copies)
2)	Monthly Progress Report	10th of the following month of reporting	5(1 original,4 copies)
3)	Interim/Mid Term Report	4 months after commencement-*1	5(1 original, 4 copies)
4)	Draft Final Report (DFR)	9 months after commencement-*2	5(1 original, 4 copies)
5)	Final Report/Completion Report	1 months after completion of the service-*3	6 (Original)

*\*1 & \*2 The NGO will deliver two (2) presentations through a workshop, one at the time of submission of Mid Term Report and the other at the time of DFR submission.*

*\*3 Completion of the service means: Notice for Encumbrance Free is issued for the compensation and ready to handover to the Employer.*

## **10. Measuring RAP (Resettlement Action Plan) Implementation Progress**

Proper training and orientation to the APSCL staff is to be given in home so that they can supervise the NGO/RAC activity appropriately from the very beginning and operate the Menu driven Management Information System to remain updated about the progress and problem. Training Need Assessment (TNA) and providing training required for livelihood and income loss restoration of Project Affected Persons (PAPs) during RAP (Resettlement Action Plan) implementation.



Cash Compensation under Law (CCL) payment records should be collected from Deputy Commissioner office and be compared with the payment data of the NGO/RAC so that the progress achieved, mistakes made, if any by the stakeholders in the process of RAP (Resettlement Action Plan) implementation are checked and verified instantly. Before making payment of entitlement, land schedule and census data will be compared with the payable amount, to avoid mistake or fraud.

Criteria for evaluation: There are number of actions needed in collecting Cash Compensation under Law (CCL) and grants. The NGO will check the submitted documents for collecting Cash Compensation under Law (CCL), prepare documents for payment of additional grants & benefits and submitted to the authorized officer of rehabilitation unit for payment. Collected data will be processed in a computerized system to monitor the progress in Cash Compensation under Law (CCL) and grant that will be given to the APs.

Performance evaluation of the NGO/RAC operatives, especially the field staff will be judged by that progress. Production and application of RAP (Resettlement Action Plan) implementation tools, payment of grants and resettlement of APs should be the basis for calculating NGO/RAC performance.

**Co-ordination:** The NGO/RAC will sit with the APSCL on a regular basis, where discussion on progress and constraints of the previous month will be held. Actions to be taken and the key factors for the tasks concerned will be identified as tasks assigned from respective agencies. In case of any items are not covered by the RAP (Resettlement Action Plan), the Co-ordination meeting should come up with recommendations, which should be approved and implemented through executive order of the APSCL.

## **11. Implementation Schedule**

RAC/NGO will complete the task within 09 (Nine) months after commencement of the services. RAC/NGO shall provide the services with the planned schedule .However, the contract will be extended subject to review on the basis of needs of the project and the performance of the RAC/NGO.

## **12. Criteria for NGO/RAC Selection**

The NGO/RAC to be selected for the tasks must have proven experience in resettlement planning and implementation.

- 1 The NGO/RAC shall have the demonstrated capacity to mobilize the required trained and experienced field staff.
- 2 The NGO/RAC shall have the experience in implementation of large resettlement plan like the present project.
- 3 The NGO/RAC must have working experience in the implementation of resettlement and land acquisition under externally funded development program.
- 4 The NGO/RAC must be registered under the Social Welfare Department or under NGO Affairs Bureau.



- 5 The NGO/RAC must present certificate/s from the concerned government department/agency to verify its satisfactory performance in resettlement social/census surveys, planning and implementation of resettlement plan, monitoring and evaluation through effective management information systems and preparation of analytical reports that meet the standards of co-financiers.
- 6 The NGO/RAC shall have to present audit report for the past five years.

### 13. Indicative Staffing

#### 13.1 Required Staff-month (Person-month)

The NGO/RAC must be able to present evidence of sufficient experienced and trained qualified manpower to be mobilized to this end. The NGO/RAC shall have to provide staff input to carry out the works under this Terms of Reference (TOR). The man-months and designation of the staff shall have to be as stated in Table 2. If settlement of legal issues on resettlement requires longer time, the NGO/RAC may have to demobilize for a period as per the request from the executing agency in writing. If the scope of TOR changed then man-month will be changed accordingly.

**Table 2: Person-month and designation of the staff**

Sl. No.	Position	Nos.	Estimated Person-Month (PM)-Local
1	Project Manager /Team Leader	1	5
2	Environmental, Social and Resettlement Expert	1	5
3	Data Analyst/MIS Specialist	1	4
4.	Area Manager/Supervisor	1	9
5	Field Resettlement Worker	3	27
6.	Data Entry Operator	1	9
7.	Accounts Officer	1	4
Total		9	63

#### 13.2 Required Profile of the Consultant Team

The NGO/RAC is free to propose the number of members working in the Team. Some of the important team members shall desirably meet the following criteria.

**Table 3: Qualification of the Key Professional Staff and minimum required Experience**

Position	Minimum Academic Qualification	Years of Experience		Specific Experience
		Resettlement	Overall	
Project Manager /Team Leader	MA/MSc/MSS/ MS in Environmental Science/BSc. in Environmental Engineering	5	10	Experience in Planning and implementing resettlement assistance program and in (i) Leading and supervising multidisciplinary teams engaged in socioeconomic development activities.(ii) Multidisciplinary action research/surveys; and through knowledge of (iii) Bangladesh land administration system and

				resettlement practices(GoB/JICA/WB/ADB) (iv) Process and functionaries involvement of resettlement assistance.(v) Report writing capability and ability to demonstrate personal integrity and create a transparent and accountable work environment.
Environmental, Social and Resettlement Expert	MA/MSc/MSS/ MS in Environmental Science/BSc.in Environmental Engineering	3	10	Experience in (i) Leading and supervising multidisciplinary teams (resettlement) engaged in socioeconomic development activities (ii) Ability to conduct methods of resettlement and through knowledge of (iii) GoB /JICA/WB/ADB Resettlement system (iv) Process and functionary's involvement of resettlement assistance. (v) Report writing capability and ability to demonstrate personal integrity and create a transparent and accountable work environment.
Data Analyst /MIS Specialist- 1	MSc in Statistics/ Computer Science/ Mathematics or MBA (Major in MIS/Finance)	3	8	Working experience and knowledge of software, preferably relational, those are most commonly used in Bangladesh; demonstrated ability to design and implement user friendly menu-driven MIS(s) for monitoring progress and generate reports as and when necessary.
Area Manager/ Supervisor	Masters/ Graduation from any discipline	3	5	Working experience in data collection, census survey, organized stakeholders meeting and focus group discussion, report writing and sound knowledge in computer literacy.
Field Resettlement Worker-3	HSC/ Graduation from any discipline	2	4	Working experience in data collection, census survey, and sound knowledge in computer literacy.
Data Entry Operator-1	Graduation from any discipline/ Diploma Engineer	3	5	Working experience and knowledge of software, preferably relational, those are most commonly used in Bangladesh;
Accounts Officer	B.Com/M.Com or BBA/ MBA in Accounting/ Finance	1	5	Experience in preparation of financial statement and prepared invoice for project especially in the Resettlement sector.

### 13. Other Requirements

#### i. Difference/Conflict of Opinion

In the case of a difference/conflict of opinion between the Client (APSCL) and the Consultant (NGO) on any important matters involving professional judgment that might affect the proper evaluation or execution of the Project, the Client will allow the Consultant to submit a written report to the Client. The Client (APSCL) will study/examine the report and will seek explanation/call the Consultant (NGO) to discuss/sit together to resolve the matter/conflict before any irreversible Steps are taken in the matter.

## **ii. Monitoring by APSCL/Project Company**

Without assuming the responsibilities of the Client or the Consultant, Project Company may monitor the services as necessary in order to satisfy itself that it is being carried out in accordance with appropriate standards and is based on acceptable data. As appropriate, Project Company may take part in discussions between the Client and the Consultant. However, Project Company shall not be liable in any way for the performance of the Services by reason of such monitoring or participation in discussions. Neither the Client nor the Consultant shall be released from any responsibility of this Contract by reason of Project Company's monitoring or participation in discussion.

## **iii. Serious Hindrances**

The Consultant shall report to the Client promptly the occurrence of any event or condition which might delay or prevent completion of any significant part of the Project in accordance with the schedule and to indicate what steps shall be taken to meet the situation. When the Client receives such a report from the Consultant, the Client shall immediately make their comments/decisions.

## **iv. Modifications or Variations**

In case of substantial modifications or variations, the prior written concurrence of APSCL is required.

## **v. Office Location**

NGO has to keep office near the concerned locality during the time of implementation of the RAP (Resettlement Action Plan) in order to ease contact with the Project Affected Persons (PAPs), the cost of which will be specified in the budget.

## **vi. Submission of Data/Documents**

In addition to hard copy all data/Document shall have to submit to the APSCL in digital copy (in CD) with editable format.



