Terms of reference (ToRs) for the procurement of services below the EU threshold

Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH

Assessment of the Implementation of RAI principles and Contract Farming as an Inclusive Business Model in the project Regions of Amhara, Benishangul Gumuz and Gambela	Project number/ cost centre: 15.0124.6-308.00

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0. List of abbreviations

AISD	Agricultural Investment Support Directorate
AVB	General Terms and Conditions of Contract (AVB) for supplying services and work 2018
EAILAA	Ethiopian Agricultural Investment Land Administration Agency
EHAIA	Ethiopian Horticulture and Agricultural Investment Authority
EHDA	Ethiopian Horticulture Development Authority
FDI	Foreign Direct Investment
MoA	Ministry of Agriculture
RAI	Responsible Agricultural Investment
ToR	Terms of reference
CF	Contract Farming
RAI	Responsible Agricultural Investment

1. Context

Following the global demand for food and biofuel production many African countries have opened their door for FDI in agricultural investment, with the expectation of creating job opportunities, diversifying export market & foreign currency earnings, sustainable supply of industrial inputs, etc. In doing so many states were not ready to establish binding legal systems in administering investment lands and creating inclusive economic development system. Understanding the consequences of FDI and local investments on large scale land-based investments, the African Union, the world bank and Food and Agriculture Organization have developed different guidelines to protect the local land users and create responsible agricultural investment. The CFS-RAI principles prepared by the world bank is one of the leading documents that must be referred and contextualized while promoting agricultural investment. CFS-RAI principles were prepared in referring several global documents like VGGT, UN declarations on human rights, Rio declaration on environment, ILO declarations on fundamental principles and rights at work etc. The Principles illustrate the integrated multi-faceted nature of food security and nutrition. Each of the Principles contributes to food security and nutrition, and in total they describe responsible investment in agriculture and food systems.

In the context of both FDI and local investment, responsible agricultural investment explicitly acknowledges the relevance of the investors in social, environmental, economic and land governance issues. The meaning of responsible agricultural investment must be framed and contextualized in the national development frame work and local social, economic and environmental concerns. Agricultural investment in Ethiopia has got due emphases both in Growth and Transformation Plans I and II. The focus was on transferring large tract of land and produce surplus for agro processing industries. The central focus of GTP-2 was on agro-processing related investment, identifying and transferring suitable lands for agricultural investment to local and foreign investors, as well as providing adequate support in the form of infrastructure and other services and ensuring that communities have both a say in shaping investors' plans and ultimately share in reaping investment benefits.

Institutionally agricultural investment was led by AISD, a directorate in the MoA which later evolved as an independent and autonomous institution, Ethiopian Agricultural Investment Land Administration Agency (EAILAA) in 2013. This agency later in 2017 was merged with Ethiopian Horticulture Development Agency (EHDA) and create Ethiopian Horticulture and Agricultural Investment Authority. within less than two years even EHAIA was dissolved and its mandates were partially transferred to MoA and Ethiopian Investment Commission, because the main component of investment, the land governance mandate, which the federal government was delegated by regions was revoked end 2016. This was a result of complaints specially from Gambela and Benishangul Gumuz Regional states regarding the poor performance of investments and the serious impact on environment and the community. This frequent change of mandate may cause inability either to oversee the RAI principles or establish local principles. Or the result of agricultural investment was not evaluated with respect to these principles, except some haphazard monitoring and evaluation endeavours by both the above institutions. The aim of such monitoring and evaluation missions was not holistic in nature to consider RAI principles and other global guidelines, rather was focused to physical performance of investors as per the business plan submitted and other terms and conditions set in the lease agreement.

On the other hand, to ensure sustainable socioeconomic growth one has to consider an inclusive business model like contract farming or out growers' scheme which will enable technology transfer, create market access, increase self-employment, and finally contribute to local food security improvement.

Till now there is no critical assessment made and documented finding in this regard to initiate policy measures and any development assistance to further make agricultural investment more responsible and grow with the local community.

So, this assignment is initiated to critically assess and evaluate the implementation of RAI principles and contract farming in Amhara, Benishangul Gumuz and Gambela regional states document successes, identify critical bottlenecks and put possible recommendations as a way forward.

2. Objective of the assignment

- Create Responsible Agricultural Investment
- Increase the awareness level of stakeholders on RAI and CF

3. Specific objectives

- Document success stories in CF and RAI principles implementation
- Identify bottlenecks of implementation
- Suggest possible implementable solutions

4. Tasks to be performed by the contractor

The objective of the assignment is to know the status and extent of implementation of RAI principles and Contract Farming in the three regions and the contractor is responsible for providing the following services:

- prepare and submit assessment report on the implementation of RAI principles and Contract Farming with conclusion and possible recommendations
- Deliver the assessment report in a wider platform for validation.

Certain milestones, as laid out in the table below, are to be achieved by certain dates during the contract term, and at particular locations:

Milestone	**Deadline/place/person responsible**
contract	August15/2021
Inception Report and document review	August 16-22/2021
Review and validate the inception Report	August 23-September 01/2021
Field assessment and document review	Sept 02 – Sep 22/2021
Secondary Documents Review and Report writing	Sept 23- Oct. 20/2021
Report review and validation	Oct 21- Nov 04/2021
Update the report with workshop inputs	Oct 05- 07/2021
Submit Final report	Nov 08/2021

Period of assignment: From August 15/2021 until Nov 08/2021.

5. Key Activities of the Consultant

- Assess the awareness level of RAI and Contract Farming at community, investor, CSO and government officials and experts' level
- Analyse the knowledge gap on RAI principles and Contract Farming at all levels
- Assess to what extent RAI principles were implemented and implementation gaps to make the investment sustainable
- document all success stories of RAI and CF implementation
- Assess hindering factors/problems in implementing RAI principles
- Draw possible recommendations
- Assess how far Contract farming and out growers' schemes are implemented as an inclusive business model so that the local community will be benefited in technology transfer and better access to input and output market

6. Concept

In the bid, the bidder is required to show how the objectives defined in Chapter 2 are to be achieved, if applicable under consideration of further specific method-related requirements (technical-methodological concept). In addition, the bidder must describe the project management system for service provision.

Technical-methodological concept

Strategy:

The bidder is required to consider the tasks to be performed with reference to the objectives of the services put out to tender (see Chapter 1). Following this, the bidder presents and justifies the strategy with which it intends to provide the services for which it is responsible (see Chapter 2).

The bidder is required to present the actors relevant for the services for which it is responsible and describe the **cooperation** with them.

The bidder is required to describe the key **processes** for the services for which it is responsible and create a schedule that describes how the services according to Chapter 2 are to be provided. In particular, the bidder is required to describe the necessary work steps and, if applicable, take account of the milestones and contributions of other actors in accordance with Chapter 2.

The bidder is required to describe its contribution to knowledge management for the partner and GIZ and promote scaling-up effects (**learning and innovation**).

In addition to the reports required by GIZ in accordance with AVB, the contractor submits the following reports:

- Inception report within 7 days of signing the contract
- Contributions to reports to GIZ's commissioning party

- Brief reports on the implementation status of the project after every mile stone (3-4 pages)

The bidder is required to draw up a **personnel assignment plan** with explanatory notes that lists all the experts proposed in the bid; the plan includes information on assignment dates (duration and expert days) and locations of the individual members of the team complete with the allocation of work steps as set out in the schedule.

Project management of the contractor

The bidder is required to explain its approach for coordination with the GIZ project.

- The contractor is responsible for selecting, preparing, training and steering the experts (international and national, short and long term) assigned to perform the advisory tasks.
- The contractor makes available equipment and supplies (consumables) and assumes the associated operating and administrative costs.
- The contractor manages costs and expenditures, accounting processes and invoicing in line with the requirements of GIZ.
- The contractor reports regularly to GIZ in accordance with the AVB of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH from 2018

In derogation from GIZ AVB, the contractor makes contributions to reports to GIZ's commissioning party instead of submitting its own reports.

The bidder is required to draw up a **personnel assignment plan** with explanatory notes that lists all the experts proposed in the bid; the plan includes information on assignment dates (duration and expert days) and locations of the individual members of the team complete with the allocation of work steps as set out in the schedule.

The bidder is required to describe its backstopping concept. The following services are part of the standard backstopping package, which (like ancillary personnel costs) must be factored into the fee schedules of the staff listed in the bid in accordance with section 5.4 of the AVB:

- Service-delivery control
- Managing adaptations to changing conditions
- Ensuring the flow of information between GIZ and field staff
- Contractor's responsibility for seconded personnel
- Process-oriented technical-conceptual steering of the consultancy inputs
- Securing the administrative conclusion of the project
- Ensuring compliance with reporting requirements
- Providing specialist support for the on-site team by staff at company headquarters
- Sharing the lessons learned by the contractor and leveraging the value of lessons learned on site

7. Personnel concept

Team leader

Tasks of the team leader

- Overall responsibility for the advisory packages of the contractor (quality and deadlines)
- Coordinating and ensuring communication with GIZ, partners and others involved in the project
- Regular reporting in accordance with deadlines
- Will cover all legal issues of RAI and Contract farming implementation issues of the assignment

Qualifications of the team leader

- Education/training (2.1.1): MSc/Phd degree in land administration, Land use planning, Land governance, land law and related fields
- General professional experience (2.1.3): 10 years of professional experience in land administration and governance.
- Specific professional experience (2.1.4): 5 years in Ethiopian Land Administration sector legal establishments.
- Leadership/management experience (2.1.5): 6 years of management/leadership experience as project team leader or manager in a land governance project, institution,
- Regional experience (2.1.6): 3 years of experience in projects in regional and global institutions
- Development Cooperation (DC) experience (2.1.7): 6 years of experience in DC projects
- Other (2.1.8): experience in Ethiopian Agricultural investment land administration

Environmentalist

Tasks of the environmentalist

- Responsible for all environmental issues and consideration in the process of land identification, transfer and monitoring and evaluation of the implementation of RAI principles in agricultural investments
- Engage in how the investment is managing RAI principles in the host community /the surrounding area (conservation vs hostility)

Qualifications of the Environmentalist

- Education/training (2.2.1): MSc/Phd degree environmental sciences
- General professional experience (2.2.3): 8 years of professional experience in environmental protection assignments
- Specific professional experience (2.2.4): 5 years proven experience in developing strategic guidelines and conducting scientific surveys in agricultural investment related areas
- Regional experience (2.2.6): experience in the Ethiopian agricultural investment land administration system with environmental focus in RAI principles monitoring
- Development Cooperation (DC) experience (2.2.7): years of experience in DC projects
- Other (2.2.8): experience in anthropology

Land Administration Expert

Tasks of Land Administration Expert

- Responsible for systemic issues of land administration- land identification, verification, transfer, FPIC, and tenure security as indicated in RAI principles
- Gender balances on process of land transactions- land identification, verification, transfer

Qualifications of the Land Administration Expert

- Education/training (2.2.1): MSc/Phd degree land administration/governance
- General professional experience (2.2.3): 8 years of professional experience in studying, researching, monitoring and evaluation of impact of large scale agricultural investments on tenure security
- Specific professional experience (2.2.4): 5 years proven experience in developing strategic guidelines and conducting scientific surveys in agricultural investment related areas.
- Regional experience (2.2.6): experience in the Ethiopian agricultural investment land administration and governance system
- Development Cooperation (DC) experience (2.2.7): years of experience in DC projects
- Other (2.2.8): experience in grievance handling and conflict management

Socio economist

Tasks of Socio economist

- Responsible for all tasks related to social, economic and legal aspects of the land governance system
- Investor-community relations and benefit sharing mechanisms like implementing inclusive business models, Contract farming and out growers scheme
- Considers community, Civil society, youth and women engagement in every steps of agricultural investment land transactions.

Qualifications of Socioeconomist

- Education/training (2.2.1): Msc in agricultural economics/economics social anthropology and related fields
- General professional experience (2.2.3): 8 years experience in large scale agricultural investment land administration and governance
- Specific professional experience (2.2.4): 5 years proven experience in developing strategic guidelines
- Regional experience (2.2.6): experience in the Ethiopian agricultural investment land administration system
- Development Cooperation (DC) experience (2.2.7): working with GIZ and other development agencies/organizations.
- Other (2.2.8): Experience in social anthropology and commercial farm management

Soft skills of team members

In addition to their specialist qualifications, the following qualifications are required of team members:

- Team skills
- Initiative
- Communication skills
- Sociocultural competence
- Efficient, partner- and client-focused working methods
- Interdisciplinary thinking

8. Costing requirements

Assignment of personnel

Expert 1: Team Leader Assignment in country of assignment 45 expert days
Expert 2: Socioeconomist Assignment in country of assignment 45 expert days
Expert 3: Land Administration Assignment in country of assignment for 45 expert days
Expert 4: Environmentalist Assignment in country of assignment 45 expert days

Travel

The bidder is required to calculate the travel by the specified experts and the experts it has proposed based on the places of performance stipulated in Chapter 2 and list the expenses separately by daily allowance, accommodation expenses, flight costs and other travel expenses.

Workshops, training

The contractor implements the following workshops/study trips/training courses:

- Validation workshop

Other costs

- Local transport cost like local flight, field vehicle rent, airport taxi costs

9. Inputs of GIZ or other actors

GIZ and/or other actors are expected to make the following available:

- Workshops logistics

10. Requirements on the format of the bid

The structure of the bid must correspond to the structure of the ToRs. In particular, the detailed structure of the concept (Chapter 3) is to be organised in accordance with the positively weighted criteria in the assessment grid (not with zero). It must be legible (font size 11 or larger) and clearly formulated. The bid is drawn up in English (language).

The complete bid shall not exceed 10 pages (excluding CVs).

The CVs of the personnel proposed in accordance with Chapter 7 of the ToRs must be submitted using the format specified in the terms and conditions for application. The CVs shall not exceed 4 pages. The CVs must clearly show the position and job the proposed person held in the reference project and for how long. The CVs can also be submitted in English (language).

If one of the maximum page lengths is exceeded, the content appearing after the cut-off point will not be included in the assessment.

Please calculate your price bid based exactly on the aforementioned costing requirements. In the contract the contractor has no claim to fully exhaust the days/travel/workshops/ budgets. The number of days/travel/workshops and the budget amount shall be agreed in the contract as ‘up to’ amounts. The specifications for pricing are defined in the price schedule.