

Terms of Reference

Introduction

This Terms of Reference (TOR) for a short term personal services contract has been prepared by the Central Project Implementation Unit (CPIU) within the Solomon Islands Ministry of Infrastructure and Development (MID) MID to carry out a third party review of the Memorandum of Understanding (MOU) between the Communities of Naro Lambi in Western Guadalacanal province and MID which will provide an access easement to adjoining land to widen the road corridor in several locations for rehabilitation and improvements to the main Highway

Objective of the Assignment

The objective of the proposed assignment is to provide independent verification/validation that:

- (i) the consultations leading up to the signing of the MOU have been undertaken meaningfully, freely and in good faith
- (ii) the landowners are willing to provide access to the additional land required to widen the corridor for the subproject; and
- (iii) the cash compensation or in-kind compensation for non land asset improvements and other social and environmental improvements have been agreed to by the land owners.
- (iv) that the Communities and their designated representatives understand that the MOU does not infringe their ownership rights to the land within the road corridor and those of subsequent generations

Background

The Government of Solomon Islands with assistance of a grant from the Asian Development Bank (ADB) and the Department of Foreign Affairs and Trade of the Australian Government (DFAT) is improving the civil infrastructure of the Solomon Islands with a number of projects. One component sub project falls under the direction of the Transport Sector Development Project (TSDP). This subproject is located between Naro Hill and Lambi in Western Guadalacanal Province and seeks to i) replace or upgrade 21 water crossings (bridges, culverts, and fords), rehabilitate sections of approximately 15 kilometres (km) of roads and associated bridge approaches, and selectively implement climate change adaptation and gender mitigation works where appropriate and (ii) carry out project management, implementation supervision, and capacity development including a community education and awareness campaign. Climate change adaptation and gender mitigation works measures will be incorporated into the subproject designs.

The Solomon Islands Ministry of Infrastructure and Development (MID) is the executing agency for the project and day-to-day management of the project is undertaken under the Central Project Implementation Unit (CPIU) within MID.

To date the development of the access easement has worked thought the following process some of which are on- going:

- Identification of the additional land requirement and survey and any affected non- land assets such as trees, crops and fences.
- Consultation with landowners and their designated Community Advisory Committee
- Distribution of Information letters and Publication of notices
- Preparation and Subsequent Signing of the Memorandum of Understanding (MOU)
- Documentation and third-party validation which is the subject of this assignment.

Scope of Work

The process of third party verification/validation will include following tasks:

- . Undertaking interviews and meetings as required;
- . Review of the process for identification and verification of relevant land owners;
- . Review of any and all meeting minutes and documentation of the consultation process leading up to the signing of the MOUs;
- . Validation that the agreement is voluntary;
- . Validation that the land owners speak for, and reasonably Represent, the community;
- . Verification that the provision of the additional land to the project will not cause hardship to any individual who has been duly notified about the road improvement proposal in accordance with the notification provisions within the Agreement;
- . Validation that any crops, trees or structures belonging to individuals have been identified and sufficiently compensated;
- . Documentation of the foregoing in a short report.

Deliverables

The overall period of the assignment will be for a maximum of eight weeks. Preparation of the concise draft report will be for four weeks with three weeks devoted to consultation with the various stakeholders and a week for the preparation of the draft report. There will then be a further period of two weeks for comments on the draft and then the final report would be prepared and issued to all stakeholders no later that eight weeks after commissioning.

Payment

The report would be prepared as a lump sum assignment:

- 20 % would be paid on commissioning
- 50% would be paid for the submission of a satisfactory draft report prepared in plain English to the agreed format and not to exceed ten pages excluding photos and diagrams
- 30% would be paid on completion and submission of the agreed final report

The assignment would be supervised and coordinated by the Safeguards Team within the CPIU of MID.