

Terms of Reference (ToR)

Third Regional Development Project Preparation of Resettlement Action Plan / Abbreviated Resettlement Action Plan for Urban Regeneration of historical streets in Dusheti (infrastructure rehabilitation, street lights and restoration of houses' facades and roofs); Urban regeneration of Abastumani (including restoration of wooden houses) and Arrange of tourism infrastructure at Ananuri castle Sub-Projects

A. Background

The Government of Georgia has asked the World Bank to support financing of the Third Regional Development Project (RDP III) in Samtskhe-Javakheti and Mtskheta-Mtianeti regions. The proposed program of interventions will emphasize tourism and agriculture as two key pillars and drivers of economic growth. The proposed initial project will focus on support for the tourism sector and enabling the environment for the private sector to invest in the above-mentioned regions.

Implementation of the sub-projects: (I) Urban Regeneration of historical streets in Dusheti (infrastructure rehabilitation, street lights and restoration of houses' facades and roofs) (II) Urban regeneration of Abastumani (including restoration of wooden houses) and (III) Arrangement of tourism infrastructure at Ananuri castle are envisaged under the Third Regional Development Project (RDP III).

Urban Regeneration of historical streets in Dusheti (infrastructure rehabilitation, street lights and restoration of houses' facades and roofs)

Restoration and rehabilitation various sites in Dusheti will help turn it into another attractive destination for tourism development. Dusheti's proximity to Tbilisi and Mtskheta will positively affect its development. The territory allocated for rehabilitation locates in Dusheti town at distance 40 km from Tbilisi. Dusheti is situated on 850- 950 m from the sea level and is characterized by moderate climate. Construction site locates in the center of Dusheti town in the streets – Rustaveli, Erekle II, Shamanauri, Chavchavadze, Kostava, St. Nino. Ilia Chavchavadze, Dadiani and Theater and embraces rehabilitation works of houses existed here. Construction/Rehabilitation works should be implemented on even and descended reliefs as well. These houses are situated directly next to pavements and most of them are dwelling houses.

The Project of rehabilitation of historical part of Dusheti town envisages rehabilitation-strengthening works for houses located in mentioned streets. At present time in these streets the most part of houses belong to XIX-XX c.c., they give the city a special touch and represent the monuments of cultural heritage.

The houses under rehabilitation may be divided into two types: the first type are buildings which need strengthening works of constructions and the second ones which need only plastering works of façade. The roofs' coverage should be changed approximately on all houses.

For the moment, number of buildings to be rehabilitated: 41.

Estimated number of AHs: 60-70 (This is tentative information and cannot be considered as precise)

Temporary resettlement of residents and/or small businesses may be required.

Urban regeneration of Abastumani (including restoration of wooden houses)

The sub-project aims at rehabilitation of the historical neighborhood of Village Abastumani for creation of attractive environment for tourists. The named center with a small square and historical housing is an urban section distinguished by its cultural value, and its rehabilitation - great importance for the village itself as well as whole region, in general. The sub-project implementation will promote improvement of recreational and touristic services for the local population and visitors.

Abastumani borough locates in Samtskhe-Javakheti area, Adigeni Municipality, on South slope of Meskheti range, on valley of river Otskhe at distance of 28 km from Akhaltsikhe town, 25 km from Adigeni town, 1340 m above the sea level. Construction works have to be implemented in Rustaveli street, 520 longitude meters on smooth terrain. Rehabilitation works have to be carried out for 19 buildings. Several houses have unique architectural style and are distinguished by art decorations, and the Project envisages their restoration up initial original state in maximum. Some buildings need strengthening works, the roof coverage and plywood adjustment are changed in all houses, wooden constructions of roofs will be changed partially. Finishing-rehabilitation works on facades will be carried out for all houses.

For the moment, number of buildings to be rehabilitated: 19.

Estimated number of AHs: 85-90 (This is tentative information and cannot be considered as precise)

Temporary resettlement of residents and/or small businesses may be required.

Arrange of tourism infrastructure at Ananuri castle.

The Ananuri complex is the one of the best places of tourist attractions on the military road. The considerable number of visitors, coming to the Ananuri complex every day necessitates improving the territory that approaches the complex, as well as arranging parking areas and locating some other infrastructure facilities. Ultimate goal of the sub-project (SP) is to improve the experience of visiting

tourists at the Ananuri castle, as one of the main sites located along the proposed tourism circuit of Dusheti and thus increase number of visiting tourists to Dusheti.

Project envisages rehabilitation of Ananuri architectural complex adjacent territory. In particular following shall be arranged: small scale park with stone paths, benches and lampposts, trash bins, parking area, asphalt covering. For pedestrians paths directed to main entrance of the complex as well as stairs with hand rails shall be arranged. Road section from adjacent square directed down to river shall be covered with asphalt.

Temporary or permanent relocation of small vendors/kiosks may be required.

For the moment, number of impacted structures: 18.

Estimated number of PAPs: 25-35 (This is tentative information and cannot be considered as precise)

B. Scope and Objectives of the RAPs/aRAPs Development

This ToR is aimed for developing the Resettlement Action Plan (RAPs) / Abbreviated Resettlement Action Plan (aRAPs) for the Urban Regeneration of historical streets in Dusheti (infrastructure rehabilitation, street lights and restoration of houses' facades and roofs), Urban regeneration of Abastumani (including restoration of wooden houses) and Arrangement of tourism infrastructure at Ananuri castle Sub-Projects. The objective for the RAPs/aRAPs is to set out the policies, principles, institutional arrangements, schedules, indicative budgets, and monitoring mechanism by which resettlement impacts will be addressed, in accordance with the project's Resettlement Policy Framework (attached as Annex to this TOR). The action plans outlined in these RAPs will also ensure that there is a systematic process for the participation of the Project Affected Persons (PAPs), relevant institutions and stakeholders.

The consultant will develop the RAPs/aRAPs taking into consideration the outlined objective and principles. The main goal of the RAPs/aRAPs is to identify the PAPs, strategies for compensation associated with the identified resettlement impacts (temporary or permanent loss of land, housing, assets or livelihoods), lay out the process and institutional responsibilities for addressing and compensating any negative impacts to ensure that assets and livelihoods of affected persons are improved or at minimum restored to their level before project implementation.

To achieve this goal the following tasks will be completed under these TORs:

1. Describe the existing Georgian legal and policy framework for land acquisition, as well as, reviewing the laws, regulations that apply to reclaiming informally settled public land and involuntary eviction and resettlement.

2. Review the World Bank policies related to resettlement in order to ensure that the RAPs/aRAPs are developed in full compliance with these policies and Resettlement Policy Framework (RPF) for the RDP III, see Annex I.

3. Identify the precise resettlement impacts, as well as additional social risks (if applicable) that will be associated with the implementation of the three sub-projects listed above.

4. Prepare socioeconomic inventory/census survey for the PAPs to identify and quantify different categories of different categories of PAPs who would require some form of assistance, compensation, rehabilitation or relocation.

5. Prepare an entitlements matrix listing all likely effects as per relevant typologies to be developed on assets and resources.

6. Conduct valuation of assets/compensations.

7. Prepare standards for compensation and restoration of the social and economic base of the PAPs to replace all types of loss, as appropriate. Provide information on vulnerable groups or persons, for whom special provisions may have to be made. Describe the mechanism by which compensation and any other resettlement assistance to be provided will be estimated and consulted with PAPs. Develop complete list of affected households/persons and relevant compensations.

8. Develop clear executive time plan for the RAPs/aRAPs implementation linking the various steps to the various project components and implementation plan, including institutional responsibilities, and monitoring parameters. Develop a timetable and budget.

9. Conduct public consultation with PAPs, document the various consultation activities to be conducted as part of the RAPs/aRAPs and ensure that information has been shared transparently through an active and consultation process.

10. Develop communication and consultation plan to be adopted by the project promoter along the various stages of the project cycle.

11. Develop a monitoring plan for RAP implementation and completion (specifying roles and responsibilities of the relevant institutions)

12. Identify the institutional responsibility for implementation and procedures for the grievance redress, arrangements for monitoring and implementation of the monitoring system. The consultant shall describe the options available to PAPs for grievance redress they may have about the process. The GRM channel will be communicated during the RAP consultation and be disseminated widely in the community (beyond PAPs) through the course of each sub-project.

13. Carry out any other activities required by RPF for the RDP III for preparation of RAPs/aRAPs.

Each RAP document will contain the six main elements described in the attached Checklist for Abbreviated Resettlement Action Plan listed below and comply with the principles and procedures described in the project's Resettlement Policy Framework (see Annex II).

1) Census survey of displaced persons and valuation of assets

This will include a summary of the results of the census survey of displaced persons and valuation of assets, as well as the description of compensation and other resettlement assistance to be provided, including:

- *Eligibility.* Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.
- *Valuation of and compensation for losses.* The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.
- *Resettlement measures.* A description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of the policy (see OP 4.12, para. 6). In addition to being technically and economically feasible, the resettlement packages should be compatible with the cultural preferences of the displaced persons, and prepared in consultation with them.

2) Description of compensation and other resettlement assistance to be provided

Describe the process and methodology used for valuation, as per RPF.

3) Consultations with affected people about acceptable alternatives

Describe the consultations with displaced people about acceptable alternatives, as well as the involvement of PAPs and local community members, including

- the strategy for consultation with and participation of PAPs and other local stakeholders (e.g. residents not participating in the project, businesses, CSOs, etc.) in the design and implementation of the resettlement activities;
- a summary of the views expressed and how these views were taken into account in preparing the resettlement plan;
- a review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individuals families or as parts of preexisting communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centers, cemeteries, etc.); and

- institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented.

4) Institutional responsibility for implementation and procedures for grievance redress

Describe the institutional responsibility for implementation and procedures for grievance redress, covering

- the organizational framework for implementing resettlement, including identification of agencies responsible for delivery of resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; and
- any measures (including technical assistance) needed to strengthen the implementing agencies' capacity to design and carry out resettlement activities; provisions for the transfer to local authorities or PAPs themselves of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

5) Arrangements for monitoring and implementation

Describe the arrangements for monitoring and implementation, including:

- Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by independent monitors as considered appropriate by the Bank, to ensure complete and objective information;
- performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities;
- involvement of the PAPs / displaced persons in the monitoring process;
- evaluation of the impact of resettlement for a reasonable period after all resettlement and related development activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

6) Timetable and budget

Present a timetable and budget, including tables showing itemized cost estimate for all resettlement activities, including

- allowances for inflation, population growth, and other contingencies;
- timetables for expenditures;

- sources of funds; and arrangements for timely flow of funds, and
- funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.

Each RAP Document should include a complete list of affected households/persons and relevant compensations and the following documentation in Annex:

- Inventory act;
- Extract from public registry or other documents for proving the titles (if not registered in public registry).
- Consents from the PAPs regarding the implementation of rehabilitation works on their property (understanding that PAPs have the choice to opt out of the Project);
- Prepared Cadastral Drawings (if needed)Contact information of the PAPs;
- Copies of the PAPs' ID card;
- Photos of the project affected property/area etc.

C. Reporting/Deliverables

1. RAP/ Abbreviated RAP for Urban Regeneration of historical streets in Dusheti (infrastructure rehabilitation, street lights and restoration of houses' facades and roofs) Sub-Project

The consultant shall provide the RAP/aRAP in accordance with section in two stages:

Draft RAP/aRAP

The consultant shall deliver the draft RAP/aRAP to the Client, within 30 days after the submission of the assignment on particular sub-project.

Final RAP/aRAP

The consultant, after receiving MDF's final comments agreed with the World Bank, shall submit to the Client the Final RAP/aRAP within 14 days.

2. RAP/aRAP for urban regeneration of Abastumani (including restoration of wooden houses) Sub-Project

The consultant shall provide the RAP/aRAP in accordance with section in two stages:

Draft RAP/aRAP

The consultant shall deliver the draft RAP/aRAP to the Client, within 30 days after the submission of the assignment on particular sub-project.

Final RAP/aRAP

The consultant, after receiving MDF's final comments agreed with the World Bank, shall submit to the Client the Final RAP/aRAP within 14 days.

3. RAP/aRAP for Arrange of tourism infrastructure at ananuri castle Sub-Project

The consultant shall provide the RAP/aRAPs in accordance with section in two stages:

Draft RAP/aRAP

The consultant shall deliver the draft RAP/aRAP to the Client, within 30 days after the submission of the assignment on particular sub-project.

Final RAP/aRAP

The consultant, after receiving MDF's final comments agreed with the World Bank, shall submit to the Client the Final RAP/aRAP within 14 days.

The consultant shall submit the RAPs/aRAPs in both Georgian and English languages.

Final acceptance acts will be signed upon receipt of final no objection from World Bank.

In case inaccuracies are identified in the documents during implementation of the RAPs/aRAPs, the consultant shall re-study case and submit to the client official letter with corrected annexes during the 14 business days.

D. Consultant's Qualification

The Consultant shall have an experience for RAP preparation for International Financial Institutions supported projects during last 5 years (2012-2016).

The consultant shall provide services of proven competence and experience to undertake the tasks defined by these Terms of Reference and to finally achieve the overall and the specific objectives of the project, in terms of time, costs and quality.

Consultant shall have the prerequisite experience specified in relation to their assignments, and shall have an overall background in civil engineering and urban infrastructure projects and resettlement issues in Georgia, CIS or similar regions.

Consultant's TL should have obtained minimum a bachelor's degree from an accredited university. Consultant shall be local and must be independent and free from conflict of interest in the responsibilities accorded to them.

The consultant's TL shall be skilled and experienced specialist, who will carry out necessary services.

The consultant's TL shall have:

Excellent organizational and communication skills;

Direct Experience of working with Land Acquisition / Resettlement related issues;

Experience of working with International Financial Institutions supported projects;

ANNEX

Resettlement Policy Framework for RDP III