

TERMS OF REFERENCE

DRAFT PREPARED FOR BLUE ACTION PROPOSAL "MAKING NETWORKS WORK"
DATE: 01.08.2024

PURPOSE OF CONTRACT: Support on Environmental & Social Assessment (ESA), Environmental & Social Management Plan (ESMP), and other necessary safeguard instruments.

PROJECT: Making Networks Work: Empowering fisher communities for effective stewardship of the Philippines' largest Marine Protected Area.

1) BACKGROUND TO THE PROJECT

Following its submission of a concept note to the Blue Action Fund under the [Asia-Pacific Region](#) (2023), Rare, in partnership with the Negros Women for Tomorrow Foundation (NWTf), anticipates receiving a preparation grant to support the development of a full proposal and appropriate Environmental and Social Assessments (ESA). In the project "Making Networks Work: Empowering fisher communities for effective stewardship of the Philippines' largest Marine Protected Area"

To main objective of the proposed project is to enhance management effectiveness of the Tañon Strait Protected Seascape (TSPS), covering 5,000 km² of globally significant, inter-connected, and climate-resilient coastal ecosystems. At the seascape level, the project aims to strengthen the DENR Protected Area Management Office's (PAMO) technical capacities required for seamless collaboration in managing, monitoring, and enforcing sustainable fisheries management within the seascape, thereby improving the overall management effectiveness of TSPS. At the provincial level, the TSPS Site Management Units¹, provincial governments, and inter-LGU² alliances, the project aims to build capacity to effectively implement harmonized policies and programs, ensuring more systematic and inclusive conservation and surveillance efforts aligned with the TSPS General Management Plan that is to be renewed in 2025. At the municipal level, the project aims to improve livelihoods of especially vulnerable coastal communities through enhanced ecosystem services, financial inclusion, and gender-sensitive diversified livelihood investments. Further, the lessons learned, and best practices will be shared with national government partners such as the Department of Environment and Natural Resources (DENR) and the Department of Agriculture's Bureau of Fisheries and Aquatic Resources (DA-BFAR), as well as other municipal governments through the global Coastal 500 network.

2) GENERAL RESPONSIBILITIES

As part of the general responsibilities, the consultant must

- *Conduct Environmental & Social Assessment (ESA)*
- *Based on ESA, develop a draft ESMP (including a Stakeholder Engagement Plan and other appropriate safeguarding tools determined by the ESA results).*
- *Validate if there are Indigenous Peoples and Local Communities (IPLCs) residing in the project sites and will be affected by the project and draft an FPIC protocol if necessary. Work with Rare and its partners, through in-person and online meetings including email exchanges;*
- *On site, conduct consultations and interviews with each of the site-based program implementation managers, DENR Protected Area Management Office (PAMO),*

¹ SMU - multi-stakeholder representation in a specific geographic region within a Protected Area. Members of the SMUs are municipal mayors and barangay (smallest administrative unit in the Philippines) representatives, DENR Region Offices, and private sector

² LGU – Local Government Unit (municipal-level government authority). Inter-LGU Alliance – formal collective of collaborating LGUs (see also 1.B.)

provincial governments, community fisheries councils, local governments and other relevant agencies to collect data and information;

- *Develop a reporting and feedback tool that will regularly inform Rare of the progress of the consultancy;*

3) SCOPE OF WORK

The consultant will work with Rare's team in the Philippines, central program teams and the Global Development Team to ensure the ESA and recommendations within the ESMP align with its policies and guidelines found at <https://www.blueactionfund.org/documents-esms/>. The consultant will review Blue Action Fund Principles & Requirements to ensure alignment between Rare approaches and meeting the requirements of the performance standards. This task will include at least one field visit to each of the Site Management Units as well as additional visits to the DENR Protected Area Management Office (PAMO), and other relevant partners as needed. The consultant is expected to plan and execute fieldwork in close collaboration with Rare's teams in the Philippines.

The consultant will need to describe the detailed assessment methodology to conduct the activities presented below. This should be included in an E&S assessment (ESA) plan, which will build upon the content of Rare's E&S Scoping Report and the Revision Agreement (incl. Annex 1) developed by Rare. The ESA to be developed by the consultant should at least reach the same level of detail as the scoping report, providing as much detail as possible on the environmental and social factors considered to be critical. Ecosystems of importance included in the assessment are mangrove, seagrass and coral reefs. Social factors of importance to include are means of livelihood, impacts of natural disasters and climate change, community governance structures, gender dynamics, sexual and reproductive rights, human rights and rights of Indigenous Peoples as well as cultural heritage. The assessment should not be limited to these mentioned factors only.

TASK 1: *Workplan development & approach*

Deliverable: detailed Workplan (incl. Gantt chart specifying deliverables and deadlines for drafts as well as final versions) and short description of planned approach.

- **Activity 1.1:** In coordination with Rare, establish a deliverables timeline that takes into account possible disruptions or delays. Define planned approach (e.g. field visits and methods). The expected timeline for ESA and draft ESMP development is 3-5 months.

TASK 2: *Orient to project, Rare and partners*

Deliverable: Initial gap assessment and adjustment to draft workplan

- **Activity 2.1:** Become familiar with BAF's [Environmental & Social Management System](#) and related requirements/procedures to ensure alignment of ESA with BAF's safeguarding model
- **Activity 2.2:** Review materials provided by Rare and conduct initial desktop research
- **Activity 2.3:** Discuss field context with Rare and partners, and review results of already-completed preparatory fieldwork, background materials, ESMS documentation, national legislation, community engagement policies, project stakeholder analysis etc. to learn the project's objectives and approaches, understand the relevant communities' and stakeholders' needs and situations, and identify information gaps that will need to be addressed.
- **Activity 2.4:** Discuss with Rare and partners any existing safeguarding procedures, practices and policies both in the field and globally to ensure alignment of ESA with Rare standard practice.

TASK 3: Conduct Environmental & Social Assessment (ESA)

Deliverable: field visit reports

- **Activity 3.1:** In coordination with Rare and its partners, conduct necessary field trips to target government partners and communities and consult partners as well as key-stakeholders
- **Activity 3.2:** Complete ESA, based on templates provided by the Blue Action Fund (<https://www.blueactionfund.org/documents-esms/>), tailored to the specific considerations of the project. Sections may include:
 - Project Information
 - E&S Methodology (may include E&S Assessment Justification, linkage with National Environmental Assessment legislation...etc.)
 - Baseline E&S Conditions (may include physical environment, biological environment, human/socio-economic/cultural environment, land issues etc.)
 - Cultural Heritage assessment, including tangible and intangible cultural heritage
 - Considerations and potential risks linked to human rights
 - Summary of stakeholder engagement held so far
 - Mapping on relevant issues unique to under-represented groups, including marginalized peoples and women specifically
 - Assessment of security situation in project areas and its impact on the project
 - Impact assessment (should include recommended mitigation measures)
 - E&S Management & Monitoring, which includes the basis of an ESMP and a Health & Safety Plan or equivalent

TASK 4: Develop a full Environmental & Social Assessment report based on donor templates

Deliverable: Updated E&S tool, sections *D 'E&S Assessment Results and E 'Safeguard Tool Development'*

- **Activity 4.1:** ESA results and in close collaboration with Rare, update draft Environmental & Social Development Tool ([E&S Tool](#))

TASK 5: On the basis of the ESA, utilize Blue Action Templates to develop draft ESMP and any other required safeguard instruments as determined by the ESA results. Depending on the ESA results, these may include:

Deliverable: Draft ESMP & Safeguard Annexes

- **Activity 5.1:** Develop the following deliverables
 - Environmental & Social Management Plan ([ESMP](#))
 - Gender & Vulnerability Analysis (GA) – taking into account [Blue Action Fund's Gender Guide](#) (and guiding questions on page 20).
 - Stakeholder Engagement Plan ([SEP](#)); incl. SEP Register ([SEP Register](#)) – consultant will be responsible for drafting the documents. Rare will provide guidance and input.
 - Preliminary Process Framework ([PPF](#)) – if determined by ESA

TASK 6: Edit and finalize ESA, & ESMP according to Rare, Partner and donor feedback

Deliverable: adjusted ESMP & Safeguard Annexes as per donor feedback

- **Activity 6.1:** Share initial and final drafts with Rare and partners according to the schedule developed under task 1, and address feedback, if any
- **Activity 6.2:** Finalize ESA & ESMP for submission to Rare and the donor

4) PERIOD OF PERFORMANCE & DELIVERABLES

We are seeking a 3-6-month consultancy (with possibility of extension) for completion of the ESA & draft FPIC protocol, beginning upon receipt of the preparation grant provided by Blue Action Fund (likely end of August, beginning of September 2024). The consultancy will take place as part of the proposal development phase with potential extension into the inception phase.

Deliverables: see section 3

5) PROJECT BUDGET & PAYMENT SCHEDULE

- 20% upfront
- 30% after receipt of drafts
- 50% upon delivery of deliverables, after determining that Consultant has complied with all terms and conditions under this Agreement.

Payments shall be received within a maximum period of 45 days of submission of invoice. Overall amount will be based on a competitive tender. Financial proposals shall be inclusive of all applicable tax as well as travel costs and per diem.

6) QUALIFICATIONS OF THE CONSULTANT

The consultant is expected to have the following skills/knowledge/experience:

- Familiarity with the Philippines, preferentially with the Tanon Strait Protected Seascape as well as the provinces of Negros Oriental, Negros Occidental and Cebu
- Familiarity with local stakeholders and proper processes and protocols for stakeholder engagement
- Ability to confidently interact in languages commonly spoken in the target area
- Familiarity with environmental and social safeguarding, preferably World Bank Environmental and Social Framework (2017), and other standards and guidelines.
- Ability to proactively manage the ESA process and stakeholder engagement
- Familiarity with risks related to access restriction
- Familiarity with risks related to stakeholder conflict
- Familiarity with diversity, equity and inclusion as well as gender-related issues
- Familiarity with risks related to stakeholder participation
- Familiarity with risks related to climate change
- Familiarity with risks related to wildlife / fisheries enforcement
- Familiarity with relevant policy frameworks and national legislation
- Ability to work with Rare and partner staff to understand policies and processes in place to guide application of social safeguards in the field.

7) GENERAL DATA PROTECTION REGULATION

All documents collected and data collected are to be treated confidentially and, in the case of personal data, in accordance with the provisions of relevant data protection laws (in particular the EU General Data Protection Regulation, the Federal Data Protection Act, and privacy protections enshrined in the Philippine Civil Code) and are to be used exclusively for the evaluation. Interviews are always anonymized. No later

than one year after the completion of an evaluation, the contractor shall destroy the data and documents permanently and in accordance with data protection law.

8) SUBMISSION OF PROPOSAL

Should the consultant be interested to submit a proposal for work, please send it to Kristine Ramirez (kramirez@rare.org) a short proposal including:

- Explanation on how the consultant's experience is relevant to this project, describing track record of similar undertakings (max. 0.5-1 page)
- A financial proposal using Annex B
- Proposed timeline using Annex C
- Full CV

Proposals shall be accepted until September 27, 2024.

ANNEX B: CONTRACTOR's BUDGET

Proposed budgets shall be inclusive of all applicable taxes as well as foreseen travel costs.
Please note, all labels and descriptors are examples and can be edited

<i>Tasks / Activities</i>	<i>Included</i>	<i>Amount (eur)</i>
TASK 1: XX		
<u>Activity 1.1: [e.g. Kick-off meeting and establish a deliverables timeline]</u>		
Desktop work, online meetings	Lump sum (fees)	Eur
TASK 2: XX		
<u>Activity 2.1: XX</u>		
Desktop work, online meetings	Lump sum (fees)	Eur
<u>Activity 2.2: XX</u>		
Desktop work, online meetings	Lump sum (fees)	Eur
<u>Activity 2.3: XX</u>		
Desktop work, online meetings	Lump sum (fees)	Eur
TASK 3: XX		
<u>Activity 3.1: XX</u>		
Project area visit	Lump sum (fees + other expenses (travel, accommodation, etc)	Eur
Field work	Lump sum (fees + expenses)	Eur
<u>Activity 3.2: XX</u>		
Desktop work	Lump sum (fees)	Eur
TASK 4: XX		
<u>Activity 4.1: XX</u>		
Desktop work, online meetings	Lump sum (fees)	Eur
<u>Activity 4.2: XX</u>		
Desktop work, online meetings	Lump sum (fees)	Eur
TOTAL		EUR

ANNEX C – TEMPLATE FOR TENTATIVE TIMELINE

The Contractor shall be required to complete the activities / submit the deliverables outlined below: **Please note, all labels and descriptors are examples and can be edited.** Provided timeline is preferential and meant as a guidance to applicants

#	DELIVERABLE	TENTATIVE TIMING
1	Kick-off meeting, review of existing documentation and data, and development of detailed work plan	Within 1 week of signing the contract
2	Site work	Q3/Q4 2024/ January 2025 latest
3	Conduct ESA, incl. preparation of E&S Development Tool, E&S Management Plan and other required safeguard instruments (as outlined above)	November 2025 - January 2025
4	Develop ESMP (incl. all relevant annexes)	February 2025