

TERMS of REFERENCE

Scoping for LDN TAF “Landscape” support to Forest First Colombia

February 2021

Investments in land restoration and Sustainable Land Management (SLM) practices are needed to avoid, reduce and reverse land degradation. However, project preparedness can be a major bottleneck for restoration and SLM investment. The Land Degradation Neutrality (LDN) Technical Assistance Facility (TAF) was established to help alleviate this bottleneck, and link projects to the LDN Fund¹ and LDN impacts. The facility is managed by IDH The Sustainable Trade Initiative. The LDN TAF can provide grants and reimbursable grants to (potential) LDN investment projects, to improve technical quality, and strengthen environmental and social impacts, so that the investment project meets the LDN Fund investment criteria. More information on the LDN TAF can be found on: <https://www.idhsustainabletrade.com/landscapes/ldn-taf/>

Forest First Colombia (FFC) is a Colombia based forestry operator that is being considered by LDN Fund for investment. The LDN TAF seeks to support Forest First Colombia (FFC) on its way to investment readiness for LDN Fund, and invites eligible consultants to submit a proposal for the assignment ‘Scoping for LDN TAF “Landscape” support to Forest First Colombia’.

These Terms of Reference (ToR) elaborate on the assignment and the proposal requirements as well as the selection procedure. Consultants that consider submitting a proposal are requested to carefully read this ToR, as deviation can result in exclusion from further participation in the procedure.

1. Assignment background

The LDN Fund is currently evaluating an investment proposal submitted by FFC². FFC is developing an sustainable afforestation project in Eastern Colombia (Vichada region). FFC has started planting and aims to scale its operations in the coming years. Over the next 10 years trees planted by FFC are expected to sequester 25 million tons of CO₂.

The Company’s goal is to be the leading forestry and timber product platform in South America, operating high quality plantations while preserving ecological environments and community development. Accordingly, the plantation is FSC certified, and, the Company will maintain up to 35% of its land under a conservation regime.

Part of the Technical Assistance (TA) provided by the LDN TAF to FFC in the pre-investment phase aims to securing a stronger connection between FFC and the landscapes in which their operations are situated. Landscape-based TA for investments is aimed at facilitating and strengthening relationships

¹ The Land Degradation Neutrality Fund, copromoted by the UNCCD, is a first-of-its-kind fund investing in profit-generating sustainable land management and land restoration projects that contribute to SDG 15.3. The LDN Fund provides long-term debt and equity financing for sustainable land use projects that avoid, reduce or reverse land degradation. It is structured as a blended finance fund, pooling resources from both public and private investors committed to the goal of stopping land degradation. The LDN Fund is designed to offer financing solutions that are not readily available in the market, providing finance and strategic benefits in ways other investors or banks might not, e.g. longer tenors, longer grace periods, more flexible repayment schedules.

² <https://forestfirst.com/>

between the project operator and local communities, public authorities, NGOs, local private actors, and other landscape stakeholders, towards a common land use vision and shared action plan balancing needs to sustainable production and income with social inclusion and natural resources protection.

In Colombia, FFC is active in the Vichada region. In the wider landscape, FFC is considering collaboration with farmer communities in an outgrower scheme. This initiative would help halt deforestation in the immediate area by providing a sustainable wood source, alternative incomes for communities and increasing awareness. There is also high potential for positive environmental impact on the wider landscape by ensuring ecological connectivity through remaining forest and reforested conservation areas.

2. Assignment Objective

The purpose of this scoping assignment is to gather information that could assist FFC to elaborate its plans for engaging with the wider landscape. Such a plan is likely to involve a Participatory Land Use Plan (PLUP) as a first step, and could be followed by the development of what IDH calls a Production-Protection-Inclusion (PPI) Compact³ which is a multi-stakeholder landscape action plan including shared targets.

Specifically, the objectives of this scoping assignment are to:

Scoping:

1. Define and describe the proposed scale of the landscape of FFC's current and planned operations and how the boundaries were identified. Note: boundaries could be defined by ecological features, such as a watershed, or jurisdictional boundaries and need to consider potential relocation of unsustainable land use ('leakage effect').
2. Carry out an in-depth analysis of the landscape features e.g.:
 - Opportunity to develop a landscape level governance system: mapping and first analysis of the landscape stakeholders, identification of possible conveners, possible roles & responsibilities etc., and assessment of current level of engagement and enabling conditions to build constructive relationships.
 - Environmental issues (e.g. uncontrolled wildfires, hunting & sport fishing practices, deforestation, water pollution, etc) and its drivers (e.g. cultural & heritage issues, cattle ranching, etc.).
 - Analysis of gender related challenges and opportunities in the landscape.
 - Analysis of production-related issues (current practices, how they influence the state of natural resources, etc).

³ A PPI compact is an agreement between public, private and civil society and community stakeholders to enhance the sustainability and productivity of productive land and secure community livelihoods in exchange for forest and more broadly natural resources protection. It aims to create a strong link between natural resources protection and sustainable productive activities in such a way that agricultural/forestry production becomes an activity that actively contributes to the protection of natural resources and community livelihoods but also can reach scale by attracting private investment. These compacts are based on participatory land use planning and management, whereby land for production, livelihoods and protection is clearly identified, and their related uses are agreed upon by the landscape stakeholders and recognized by local and national government as part of their commitments to the Sustainable Development Goals (SDGs). They include time bound targets for each of the PPI components, a plan of action, clear definition of roles & responsibilities, a budget for implementation, a monitoring mechanism and governance system. For more information about IDH's PPI compact approach please go to: <https://www.idhsustainabletrade.com/approach/production-protection/>

- Analysis existing plans/programs from FFC and identify opportunities/gaps that should be addressed by implementing an coordinated 'landscape approach'.
 - Analysis and description of current formal and informal governance structures in the current and proposed target areas.
 - Existing targets adopted by public authorities to address environmental and social issues.
 - Each issue mentioned above should be supported in depth by a GIS analysis that make visible problems and challenges of the landscape.
3. Incorporate FFC's Environmental and Social Action Plan (ESAP), under development for the proposed LDN Fund investment, into the analysis and identify how the 'landscape action plan' can support FFC with the implementation of relevant ESAP requirements.

Expected Result:

1. Analysis of the landscape with details on the productive, social (specifically including gender) and environmental characteristics, partners involved and necessary investments.
2. Feasibility and main gaps to developing a 'landscape action plan' or 'Production-Protection-Inclusion (PPI) compact', including connections to the ESAP;
3. Feasibility and scope of the (regularory) requirements for developing a Participatory Land Use Plan (PLUP) as a first step for the Landscape Technical Assistance to be implemented;
4. Highlight and where possible quantify the potential benefits / positive outcomes of the proposed landscape engagement, both from a multi-stakeholder and conservation perspective, as well as for the FFC business case.
5. Based on discussion of the findings with FFC and LDN Fund and TAF, suggest potential candidates for coordinating the implementation of a landscape approach around FFC's operations ('landscape convener'⁴); and
6. Identify possible next steps for developing a PPI compact.

3. Description of the assignment

The activities of the scoping will involve preliminary desk review, visiting and engaging with FFC and stakeholders identified as relevant for the scoping phase, to gather additional information/insights, and compiling it into a brief that would inform the discussions on developing a PPI compact.

- Organise (online) kick-off session with FFC, the IDH South America/Colombia team and the LDN TAF
- Review of relevant policies and laws related to land rights, agriculture and forestry in Colombia and specifically in the Vichada region;
- Review relevant documentation developed by and for FFC e.g. social baseline, HCV study, stakeholder engagement plan, environmental baseline, etc.
- Develop early draft contextual analysis based on the literature review, prior to the field visit;
- Discuss preliminary findings with FFC the IDH South America/Colombia team and the LDN TAF and finalize field visit itinerary;
- Visit FFC operations and conduct interviews with stakeholders recommended by FFC;
- Interview relevant person(s) at FFC and potential service providers to support the PPI compact development;
- Present draft report to FFC, the IDH South America/Colombia team and the LDN TAF
- Incorporate feedback and present the final report.

⁴ This can be a current employee of FFC, a potential new hire of FFC, (an) independent long-term consultant(s) with roots in the region, or a local organization (e.g. NGO or non-profit)

4. Key Deliverables

The consultant will develop 4 concise reports/notes as detailed in the following table.

Deliverable
1. Kick-off note Confirming arrangements for exchange of data and information, arranging site visits etc.
2. Draft desk study report Early draft contextual analysis based on the literature review and proposed field visit itinerary.
3. Draft report Report summarising key findings from the review and field visit, potential opportunities and challenges, and recommendations for next steps – i.e. developing a PPI compact.
4. Final Report Incorporate feedback from FFC and LDN TAF in final report

The working language will be Spanish and intermediary reports/notes can be in Spanish. The final report needs to be provided in English and Spanish.

5. Required expertise/qualifications and timeline

The consultant(s) need to have vast experience in designing project through participatory, multi-stakeholder processes (farmer associations, companies, governmental and regional authorities, Civil Society Organizations, etc.) as a main tool for the transformation of territories, the creation of confidence and collective knowledge, and the promotion of dialogue as a culture of cooperation. The consultant also has knowledge on policy and regulatory considerations related to land rights and land use planning for a landscape approach. The consultant would have direct experience working in complex territories and with indigenous communities.

In addition, expertise and experience on the following is considered a bonus:

- commercial forestry projects;
- working with international investors.

The selected consultant must have experience of working in Colombia (ideally in the Vichada region) and speak fluent Spanish and be able to report in English.

The consultant is expected to travel to the Vichada region in April 2021 for a period of 3-5 working days (excluding travel). Dates to be confirmed during the kick-off meeting.

The assignment should be completed within 2 months of contracting.

6. Proposal

Interested service providers should submit a proposal detailing:

1. Brief presentation of the consultant /expert and its relevant experience, as well as of consortium partners and/or subcontractors (where applicable). Including a clear description of the project team, relevant experience (including resumes) of team members and time allocation per team member, including their roles and responsibilities.
2. A description of the approach/methodology towards the different parts of the assignment. Where relevant, specifically stating which aspects of the assignment will be done remotely, and which activities will be done on-the-ground.
3. A workplan, including timelines for activities.

4. A financial proposal for all activities that will be carried out to achieve the deliverables, including a detailed cost breakdown (e.g. daily staff rates, hours per deliverable/activity, ect.) and must include all logistical costs (e.g. local travel, accommodation, etc.).

All amounts must be stated in Euro, and include VAT and other taxes where applicable.

The total project cost may not exceed 20.000 EUR.

5. Confirmation that none of the ground for exclusion as stated in paragraph 9 are applicable to the Consultant.

7. Selection procedures

IDH invites Consultants to submit their proposal based on this ToR. The deadline for submitting a proposal is **22nd March 2021**. Proposals submitted after 22 of March will not be considered in the tender procedure.

The LDN TAF project team may invite the Consultant to present and discuss their bid during a call.

The LDN TAF team, in consultation with FFC and the LDN Fund, decides on selection of the Consultant. Contracting will follow the awarding of the contract.

The proposal will be awarded to the Consultant with the most economically advantageous tender. The most economically advantageous tender is determined on the basis of the evaluation criteria of price, quality and efficiency.

Scoring criteria	Weight
Methodology and approach	20%
Qualification of the Service Provider and the Team*	50%
Financial proposal	30%

** due to the required on-the-ground audit, local presence in Colombia will be rated high for this assignment*

8. General terms and conditions

IDH reserves the right to update, change, extend, postpone, withdraw or suspend the ToR, this tender, or any decision with regard to the selection or contract award. IDH is not obliged in this tender procedure to make a contract award decision or to conclude a contract with a participant. IDH reserves the right to suspend or annul the Tender Procedure at any moment in time. Participants cannot claim compensation from IDH, any affiliated persons or entities, in any way, in case any of the aforementioned situations occur.

By handing in a proposal, participants accept all terms and reservations made in these Terms of Reference, and subsequent information and documentation in this tender procedure.

9. Grounds for exclusion

Service Providers shall be excluded from participation in a procurement procedure if:

- a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) they or persons having powers of representation, decision-making or control over them have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata;

- c) they have been guilty of grave professional misconduct proven by any means which the IDH can justify;
- d) they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established, or with those of the Netherlands or those of the country where the contract is to be performed;
- e) they or persons having powers of representation, decision making or control over them have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organization, money laundering or any other illegal activity, where such illegal activity is detrimental to the MFA's financial interests.
- f) Tenderers shall not make use of child labor or forced labor and/or practice discrimination and they shall respect the right to freedom of association and the right to organize and engage in collective bargaining, in accordance with the core conventions of the International Labor Organization (ILO).

Service Providers must confirm in writing that they are not in one of the situations as listed above. IDH will reject offers if any illegal or corrupt practices have taken place in connection to the award or the tender procedure.

10. Confidentiality

The documents provided by or on behalf of IDH will be handled with confidentiality. The Consultant will also impose a duty of confidentiality on any parties that it engages. Any breach of the duty of confidentiality by the Consultant or its engaged third parties will give IDH grounds for exclusion of the Consultant, without requiring any prior written or verbal warning.

All information, documents and other requested or provided data submitted by the Service Providers will be handled with due care and confidentiality by IDH. The provided information will after evaluation by IDH be filed as confidential. The provided information will not be returned to the Consultant.

11. Contact information

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ABOUT IDH SUSTAINABLE TRADE INITIATIVE

IDH, The Sustainable Trade Initiative, convenes companies, governments, financiers and others in public-private partnerships. Together we drive the design, co-funding and prototyping of new economically viable business models to delink tropical commodity production from deforestation and create shared value for all stakeholders. IDH has a network of over 400 companies, CSOs, financial institutions, producer organizations and governments. IDH works in 12 agricultural sectors and 12 landscapes in over 40 countries to achieve scalable impact on the Sustainable Development Goals. IDH's approaches are designed to drive sustainability from niche to norm in mainstream markets. IDH focuses on creating positive impact on deforestation, living incomes and living wages, working conditions, toxic loading and gender.