TERMS OF REFERENCE

EG - Helwan South Power Project (P117407)

Utilization of Project Savings

RESETTLEMENT ACTION PLAN (RAP) STUDY
A. Introduction

The proposed project is an integral part of Egypt’s strategy which aims to expand the uses of natural gas as a clean source of energy. This project aims to transfer rich gas from Raven gas field in north Alex to the western desert gas complex in Alexandria to extract the rich components. The Egyptian Natural Gas Company (GASCO) is taking the responsibility of the implementation of this project, with funding and assistance from the World Bank.

The project includes the following main components: (a) power plant; and (b) gas pipelines, as described below. The total project amount is US$2.404 billion, with other financing sources, including: (i) Borrower (US$921.8 million); (ii) Arab Fund for Economic and Social Development (US$193.5 million); (iii) Islamic Development Bank (US$449.9 million); (iv) Kuwait Fund for Arab Economic Development (US$213.8 million) and (v) OPEC Fund for International Development (US$40 million). The IBRD Loan is financing two main components, including: Component (1) The Helwan South Power Plant (IBRD: US$ 503.8 million) and Component (2) Gas pipelines (IBRD: US$ 81.6 million).

The project was approved by the World Bank on June 27, 2013 with an IBRD loan of US$585 million, and was declared effective on April 30, 2014. The latest ISR (June 2015) rated progress towards achieving the PDO as Moderately Satisfactory (MS). US$46.53m disbursed to date, which represents 8% of the total project amount. Current disbursement projection for FY16 is $107m. The end of August overall project implementation progress forecasts the pre-commissioning of the power plant June 2018 and full operations by end December 2018, which is within the project closing date of June 30, 2019.

Component (1) - The Helwan South Power Plan - Under this component, the Bank is financing three packages, including: Steam Generator (boiler), Power Transformers, and Distributed Control System (DCS).

Component (2) - Gas pipelines - This component will not be implemented as originally planned due to the change in the scope of the gas supply to Helwan, arising from the significant reduction in the pipelines from 158km to 1.2km at a cost of about US$7m vis-à-vis approved loan of US$81.6m. The original 158km pipelines were considered no longer relevant due to a reprioritization of gas expansion plan. Accordingly, GASCO decided to tap into an existing network to secure gas supply for the plant. This has resulted in loan saving of US$74.6m.

GASCO decided to utilize the loan savings to procure, construct and operate a new gas pipeline which aims to transfer rich gas from the Raven gas fields in north Alexandria to the Western Desert Gas Complex (WDGC) in Alexandria for processing. In accordance with the National plan of developing natural gas fields and the new explorations to meet the national gas demand as the main energy source, the Western Mediterranean & Northern Alex fields are scheduled to commence production starting from 2019 with an expected production of 900 MMSCFD.

Raven gas field is one of those fields expected to transport about 600 MMSCFD of rich gas through a 75 km (primary estimation) pipeline from "Idku" to "Western Desert Gas Complex" with a minimum pressure of 40 bar and a maximum pressure of 70 bar. More technical details are presented in Annex I of this ToR.

It is worth mentioning that the shortage in feed gas forecast of Western Desert Gas Complex (WDGC) starting from the production year 2019/2020 will be matching the start-up production
from Raven gas field. About 90-95% of the natural gas entering WDGC will be pumped into the natural gas national grid after processing which takes place in the WDGC.

WDGC receives feed gas to recover and produce the following products:

- Methane (sales gas), which be injected in natural gas national grid.
- Ethane/propane mixture, which is a feedstock of petrochemicals plants
- Commercial Propane product
- Butane (LPG) product which is highly needed for domestic use and households and also eliminates the imported quantities;
- Condensate product

Therefore GASCO intends to establish a new gas pipeline with 75 Km length & 28 inch diameter between Raven gas field delivery point to WDGC, which guarantees supplying WDGC with feed rich gas achieving the following strategic objectives:

- Securing the natural gas national grid in Alexandria area with additional quantities of natural gas supply which has a direct positive impact on supplying more power plants with their demands from natural gas;
- Maximizing the utilization of existing WDGC facilities;
- Secure Egyptian General Petroleum Corporation (EGPC) with LPG which decreases the imported LPG and compensate the shortage in local market;
- Secure petrochemicals plants (SIDPEC, ETBYDCO and EGPC) with feedstock.

According to the World Bank requirements, GASCO needs to:

a) Prepare a Resettlement Action Plan

b) Prepare a site/route specific Environmental and Social Impact Assessment study for the new proposed line and conduct a due diligence for the facilities which are associated with the proposed gas pipeline;

c) Consult with the public and project affected persons and address their concerns with the necessary mitigation measures.

GASCO is seeking a competent consultant with previous experience in conducting similar studies to deliver the above requirements.

B. Background

According to the feasibility studies, the route of the pipeline have been largely identified. It is expected that the pipeline will cross agricultural lands, inhabited areas and parts of desert lands. The route is also expected to cross several major roads, railways and waterways. Laying of gas pipelines will involve excavation of trenches where possible, but upon encountering waterways, major roads or railways, it will utilize technologies which minimize disruption of physical or natural assets.

1 A separate ToR is prepared for the ESIA and due diligence.
Since the construction of the proposed pipeline will pass through privately owned agricultural lands, therefore, Resettlement Action Plans (RAP) shall be prepared and completed prior to construction.

The Consultant is required to prepare the RAP report according to the scope and tasks which are described in this ToR in the following sections.

C. Objectives and Key Principles

The objective of this assignment is to prepare Resettlement Action Plans (RAP) for the gas pipelines described above by following the World Bank policy on Involuntary Resettlement (OP 4.12) and relevant government laws and regulations to ensure the adverse impacts resulted by physical and economic displacement are adequately mitigated and the livelihood of PAPs are restored. The RAP will include detailed information on PAPs who whose livelihoods are likely to be adversely affected by the project activities, both during construction and operation.

The key principles for RAP preparation and implementation are the following:

- When possible, resettlement plans should be conceived as development opportunities, so that those affected may benefit from project activities.
- Lack of legal rights does not bar displaced persons in peaceful possession from compensation or alternative forms of assistance.
- Compensation rates refer to amounts to be paid in full to the individual or collective owner of the lost asset, without deduction for any purpose.
- When cultivated land is acquired, it often is preferable to arrange for land-for-land replacement. In some cases, as when only small proportions of income are earned through agriculture, alternative measures such as payment of cash or provision of employment are acceptable if preferred by the persons losing agricultural land.
- Replacement house plots, sites for relocating businesses, or redistributed agricultural land should be of equivalent use value to the land that was lost.
- Transition periods should be minimized. Compensation should be paid prior to the time of impact, so that new houses can be constructed, fixed assets can be removed or replaced, and other necessary measures can be undertaken before displacement begins.
- Displaced persons are consulted during the planning process, so their preferences regarding resettlement arrangements are considered; resettlement plans are disclosed in a publicly accessible manner.
- The previous level of community infrastructure and services and access to resources will be maintained or improved after resettlement.
- The borrower is responsible for meeting costs associated with land acquisition and resettlement, including contingencies.
- Resettlement plans include adequate institutional arrangements to ensure effective implementation of resettlement measures.
- Resettlement plans include arrangements for internal and external monitoring of resettlement implementation.
- Resettlement plans include procedures by which displaced persons can pursue grievances.

D. Tasks of the Assignment

The assignment will involve the following tasks:

- **Review relevant project documents.** The documents to be reviewed would include but not limited to draft project feasibility study, the preliminary project design, and relevant
socioeconomic and legal documents;

- **Carry out various socioeconomic surveys and studies.** Various studies need to be carried out for preparation of the resettlement action plan, including socioeconomic survey and inventory survey. The socioeconomic studies will gather data on livelihoods and income in order to establish a baseline for developing the measures of rehabilitating the livelihood and income pre-land acquisition. The studies will be carried out in a gender sensitive approach and should also pay special attention to vulnerable households to be affected. The RAP should include the results of a Census Survey on all individuals, households, infrastructure, businesses (large or small, licensed or non-licensed), farms and agricultural concerns, herding pastures. The RAP should also contain photographs and GIS coordinate information on each of the potentially adversely affected entities or PAPs, together with names of individuals and/or household heads, owners of each entity, names of regular employees, descriptions of the size and composition of all structures; a description of the function of the structure/entity (e.g., gas station, restaurant, market, dwelling, etc.); and information on the value of the structure and average monthly income from the concerns;

- **Carry out socioeconomic studies in a gender sensitive approach.** The socioeconomic studies and consultations should be carried out in a gender sensitive manner. The different needs and demands of men and women will need to be taken into account in the survey, studies, consultations and designed mitigation measures. To extent possible, disaggregated data would be collected. If needed, consultation with women should be organized separately;

- **Pay special attentions to vulnerable groups.** The studies should help identify and gather information on vulnerable households and households who will be severely impacted, in order to be able to design specific assistance measures for these groups.

- **Develop the methods for valuing the affected assets.** The consultant shall develop and describe in detail the methods used in valuing those assets that will be eligible for compensation either as per national or World Bank policy on involuntary resettlement (OP4.12). This method shall be consistent with both national policy requirements and regulations and OP4.12. This process should capture the methodology for taking of inventory of assets, values assigned and agreement reached with each identified PAP and consider inflationary realities in the final determination of values. Compensation value should reflect fully the replacement cost of acquired assets;

- **Carry out consultations with various project stakeholders.** including project affected people, on resettlement options, compensation standards, livelihood and income restoration measures; institutional arrangements, and grievance redress mechanisms. It needs to summarize the outcomes from public consultations held with communities and PAPs along the road and include in an Annex summary minutes of each consultation meeting, signed lists of attendance, photographs of the consultations; and the Agenda for the meeting. The consultant should note that following the preparation of the Draft RAP, further Public Consultations should be held with the PAPs to inform them of the findings and conclusions, and confirm there is general acceptance by the PAPs of the proposed mitigation measures. PAPs who are determined to be eligible for mitigation should (if they agree with the mitigation) sign;

- **Develop the resettlement measures.** In addition to the compensation, the consultant will need to design a package of resettlement measures for income restoration, livelihood rehabilitation, and relocation for each category of eligible displaced persons to achieve the resettlement policy. The RAP should also include the feasibility analysis of the proposed resettlement measures;
• **Design Grievance Redress Mechanisms applicable to local social context.** The consultant shall describe the options available to PAPs for grievance redress they may have about the process, the identification of eligible people for compensation, the valuing and compensation and any other complaints they may have with the entire process. The RAP shall indicate how these would be disseminated and accessible to them in a way that is clear and comprehensible to the PAPs. The grievance redress mechanism should also have an in-built monitoring mechanism to check on responsiveness to complaints or grievances lodged. The different forms of receiving the complaints should be clearly described together with the different stages of going through the process. In addition, the redress mechanism shall indicate alternatives, in case the proposed mechanism, for any reason, does not respond to all grievances and complaints;

• **Prepare resettlement action plan (RAP).** The consultant will need to prepare the RAP based on the findings and results of documentation reviews, socioeconomic studies, and consultation with project stakeholders and project affected persons. The RAP needs to clearly present detailed information on the proposed mitigation measures for each affected entity/PAP with reasoning for the type and level of mitigation being offered. The contents of the RAP would include but not limited the following (see the box):

<table>
<thead>
<tr>
<th>I. Executive Summary: including the statement of objectives, legal framework, main impacts, and the mitigation measures, and the budget.</th>
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<tbody>
<tr>
<td>II. Description of the Project, including the following</td>
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<tr>
<td>1. Key objectives of project</td>
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<td>2. Key activities</td>
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<tr>
<td>3. Description of the project areas</td>
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<tr>
<td>III. Resettlement Impacts, including</td>
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<tr>
<td>1. To provide details (or best estimates) on categories and amounts of significant adverse impact, and the number of persons to be affected by each. The text should indicate how these data were obtained. As relevant in each case, this should include:</td>
</tr>
<tr>
<td>• land to be acquired (by category of use; permanent and temporary acquisition)</td>
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<td>• housing or other structures to be demolished</td>
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<td>• fixed assets taken (e.g., wells, fences, tombs)</td>
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<tr>
<td>• crop losses</td>
</tr>
<tr>
<td>• businesses (and employees) affected by temporary or permanent displacement</td>
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<tr>
<td>• disruptions to community facilities or services</td>
</tr>
<tr>
<td>2. To provide details (or best estimates) regarding identification of any groups who may be particularly vulnerable to hardship. The text should indicate how these data were obtained. As relevant, this should include:</td>
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<tr>
<td>• Those occupying or utilizing land or structures without legal title or permit</td>
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<tr>
<td>• Households vulnerable to hardship because of poverty, age, infirmity, or other limitations to responsiveness</td>
</tr>
<tr>
<td>IV. Socio-economic survey:</td>
</tr>
<tr>
<td>This section will be the summary of the results and findings of the socio-economic studies and surveys, including:</td>
</tr>
<tr>
<td>1. The results of a census survey covering:</td>
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</tbody>
</table>
• The current occupants of the affected area to establish a basis for the
design of the resettlement program and to exclude subsequent inflows of
people for eligibility for compensation and resettlement assistance;
• Standard characteristics of displaced households;
• The magnitude of the expected loss - total or partial – of assets, and the
extent of displacement, physical or economic;
• Information on vulnerable groups or persons, for whom special
provisions may have to be made; and
• Provisions to update information on the displaced peoples livelihoods
and standards of living at regular intervals

2. The results of other studies describing the following:
• Land tenure and transfer systems, including an inventory of common
property natural resources from which people derive their livelihoods
and sustenance, non-title-based usufruct systems, and any issues raised
by different tenure systems in the project area;
• The patterns of social interaction in the affected communities, including
social networks and social support systems, and how they will be
affected by the project;
• Public infrastructure and social services that will be affected, and
• Social and cultural characteristics of displaced communities including a
description of formal and informal institutions that may be relevant to
the consultation strategy and to designing and implementing the
resettlement activities

V. Policy Objectives, Legal Framework, and Definitions
1. This section normally would consist of standardized text outlining key
objectives, principles and definitions to be employed in resettlement
planning. This would include reference to Lebanon enabling legislation
and major regulations, as well as to World Bank OP 4.12, Involuntary
Resettlement, and provides essential guidance on objectives and principles
that are applicable in projects generating land acquisition and resettlement-
related impacts.

2. Key policy objectives include:
• Avoidance or minimization of land acquisition and other adverse
impacts
• Those adversely affected (“displaced persons,” as defined below) are
compensated at replacement cost for lost assets, and otherwise receive
any assistance necessary to provide them with sufficient opportunity to
improve, or at least restore, incomes and living standards

3. Legal framework, including:
• The scope of the power of eminent domain and the nature of
compensation associated with it in terms of both the valuation
methodology and the timing of payment;
• The applicable legal and administrative procedures;
• Relevant laws governing land tenure, valuation of assets and losses,
compensation and natural resource usage rights customary personal law
related to displacement
• Laws and regulations relating to the agencies responsible for
implementing resettlement activities:
• Gaps, if any, between local laws in the country covering eminent
domain and resettlement and the World Banks resettlement policy, and
the mechanisms to bridge such gaps and
• Any legal steps necessary to ensure the effective implementation of
Resettlement activities under the project.
VI. Valuation and Compensation
This section provides the following information:
• Eligibility criteria (including cut-off dates if necessary) establishing who is entitled to receive compensation (or other forms of assistance in lieu of compensation)
• Description of valuation procedures used to establish compensation rates for land, structures or other fixed assets
• Description of arrangements for delivery of compensation to displaced persons
• Compensation rates for all categories of land acquisition, for all affected areas
• Compensation rates for all categories of affected structures, for all affected areas
• Compensation rates for all categories of other fixed assets, for all affected areas
• Transitional support (e.g., moving expenses, temporary living allowances, payment of fees or other transaction costs) to be provided
• Arrangements for recalculation of compensation rates in case of prolonged delay in delivery of compensation

VII. Income and Livelihood Rehabilitation Measures
This section provides the following information:
• Arrangements (in addition to compensation) providing sufficient opportunity for those losing land to improve, or at least restore, incomes
• Arrangements, timing and availability for replacement housing, including site preparation and access to facilities and services as needed to improve, or at least restore, living standards
• Relocation or other arrangements necessary for shops and enterprises to resume profitable operation
• Arrangements (e.g., alternative employment, temporary wage support, other) necessary to maintain or restore incomes of workers in affected enterprises
• Relocation assistance to renters or leaseholders losing access to land or structures
• Special assistance to be provided to vulnerable groups (e.g., the poor, elderly, disabled)
• Restoration or replacement of community infrastructure and services

VIII. Institutional Arrangements
This section identifies organizations or agencies primarily responsible for resettlement implementation. It describes these entities’ capacity for effective implementation by reference to links to authority, prior experience with resettlement, and number and training of personnel. This section also briefly describes the implementation timetable, establishing that key implementation measures precede adverse impacts.

IX. Budget and Funding Arrangements
This section includes a budget breakdown estimating all resettlement-related costs, including an allocation for contingencies. It also establishes financial responsibility for meeting resettlement commitments, and describes funding flow arrangements.

X. Consultation, Disclosure and Grievance Procedures
This section provides information on the following:
• Measures taken to consult with displaced persons regarding proposed
resettlement arrangements, and to foster their participation in activities essential to improvement or restoration of incomes and living standards
- Disclosure arrangements for the resettlement plan, ensuring that it is made available in a language and location accessible to displaced persons and the general public.
- Administrative and legal steps displaced persons can take to pursue questions or grievances they may have regarding resettlement implementation.

XI. Monitoring Arrangements
This section briefly describes arrangements for monitoring implementation, for both internal project purposes and external monitoring to be conducted by a qualified agency independent of the project office. The scope and frequency of monitoring activities should be described.

XII. Entitlement Matrix

E. Skills and Qualifications
The consultant team should possess the following qualifications:
- Familiarity with World Bank Safeguards policies, particularly OP 4.12, and Egyptian regulations and procedures related to land acquisition
- The team leader should have at least a Master’s degree in social science or related training
- The team should include member with minimum of five years of experience with land acquisition and resettlement planning and implementation, socioeconomic studies and census survey
- Candidates should also have participated in similar studies in Egypt and have robust knowledge of institutional and land acquisition arrangements in Egypt
- Special considerations will be given to the candidates that have knowledge of the setting of the proposed project and have proven track records on the preparation of similar World Bank documents
- Excellent oral and written communication skills in Egyptian and English.

F. Deliverables
The following reports reflect the main outputs expected from the study:
1. Inception Report (including the work methodology, approach, detailed work plan and results of the scoping phase)
2. First draft Resettlement Action Plan
3. Final draft Resettlement Action Plan

Each report mentioned above will be submitted both as a digital copy and 2 hard copies in both English and Arabic languages.

G. Timeframe
The following is the proposed timeline for the expected project deliverables. The Consultant should prepare and submit a detailed work plan showing how the proposed dates will be met.
1. Inception Report: 1 Month from Contract Signature
2. First draft RAP: 4 Months from Contract Signature
3. Final draft RAP: 6 Months from Contract Signature

H. Coordination and Reporting
The Consultant will be supervised by the Environmental and Social Unit of GASCO and will submit all documents to this unit. The Consultant shall provide overall management of all aspects of the work / services and ensure internal quality control and assurance procedures during the execution of the Contract.

The Consultant shall set up necessary office and field staff arrangements in coordination with the implementing agency that are needed for RAP preparation.