

Draft

Terms of Reference

For a Project Specialist: Land Acquisition - Public Investment Delivery Task Force

Context

The Government adopted a voluntarist approach with its public investment plan (PIP) 2017-2020, which foresees a 35% increase in capital spending. A quantitative and qualitative increase in public investments is indeed needed to support Sri Lanka's transition to an Upper Middle-Income country, in view of (i) the limited contribution of public investments to growth in the past (0.35% GDP over the last five years), (ii) the remaining infrastructure gap constraining private sector development and competitiveness, (iii) the increasing reliance on national resources.

Sri Lanka offers access to physical infrastructure comparable to emerging market economies but lags far behind in electricity production and logistics. Despite recent investments, Sri Lanka's Logistical and Trade Performance Index is low (2.7 on a scale of 5), particularly in terms of logistics infrastructure (2.23), placing it at the 89th position among 160 countries (Figure 1).

This is hampering the achievement of Vision 2025's short term economic objectives to attract USD 5 bn FDIs per year and double exports to USD 20bn. Likewise, looking at the quality of logistics infrastructure suggests that a strengthened Public Investment Management could increase the value for money and reduce the efficiency gap of public investments (PI). At 3.95 in the infrastructure quality index, Sri Lanka is closer to 85 percent of PI efficiency. The latest World Bank report on competitiveness in South Asia, confirms that infrastructure and logistics remains an important constraint for private sector investment and exports¹.

The Government of Sri Lanka has identified and initiated reforms to address these structural weaknesses in public investment management and strengthen their impact. These reforms include: (i) a specific legal and regulatory framework for PIM, with stringent rules for project prioritization, appraisal and vetting, (ii) a more integrated approach to project selection and management through the establishment of a **Public Investment Committee** federating the central departments involved in PIM; (iii) an information system and data base for project preparation, approval and monitoring, linked to the Public Investment Plan and the Integrated Treasury Management Information System (ITMIS), (iv) tools and capacity building to strengthen project preparation and monitoring, including citizens. These reforms and capacity building will be supported by the *Public-Sector Efficiency Program*, financed by the World Bank and the European Union.

¹ <http://www.worldbank.org/en/region/sar/publication/south-asias-turn-policies-to-boost-competitiveness-and-create-the-next-export-powerhouse>

While this can improve the flow and project pipeline the implementation gap of the existing project portfolio remains. Improving the delivery would require a dedicated **implementation strategy and team, focusing on the binding constraints for select large projects, such as** land acquisition and compensation, procurement delays, under-performing contractors, cash rationing and late payments of contractors, supervision cost, contract management, design complexity, material shortage, and expertise shortfall.

Objectives

Land Acquisition Specialist liaising with PIM committee and project teams is responsible for supporting the land acquisition related to the stock of 50 strategic projects. In addition, the specialist will be responsible for supporting line ministries and project teams in developing and implementing the resettlement plans (RPs) in a timely manner, and to ensure that displaced persons (DPs) are fairly compensated in line with the SL and the Bank's resettlement policy.

Scope of work

The Land Acquisition Specialist will work under the guidance of and report to the Deputy Project Director and work closely with PIM Committee. While he will support the implementation of a stock of 50 strategic projects (stock) on land acquisition, he will also support the readiness screening of identified projects (pipeline), and support their land acquisition strategies.

He will have the following duties and responsibilities:

1. Assess the project readiness and land acquisition strategies for the individual new projects (pipeline);
2. Support the development and implementation of land acquisition and resettlement processes of existing strategic projects (stock);
3. Assist project teams in land/building acquisitions, leasing and site locations required for investment projects;
4. Populate property inventory database templates and collect all required supporting documentation in the format prescribed;
5. Perform site visits as required to confirm property conditions and maintain accurate field notes;
6. Reviewing requisitions to determine that proper specifications or purchase descriptions are included in solicitation documents;
7. Advise on the determination of land or property values in the specific markets by checking like property sales by means of public records, developers and other professional affiliates Negotiate and contract land acquisition;
8. Review title work, draft acquisition memorandums and assist with developing entitlements for project affected persons;
9. Assist the Project Management Unit and Project Implementation Units in organizing public meetings and regular meetings with project affected persons, and in translating summary Resettlement Plans into local language and disclosing Resettlement Plans to

ensure that project affected persons especially Displaced Persons have been given full information related with the resettlement plans and the plan to implement the resettlement plans, and assist in disclosing the list of eligible Displaced Persons in prominent public places, and record minutes of all meetings with project affected persons;

10. Prepare and update site status reports/databases, site close-out packages, and attend client meetings or deployment calls as required;
11. Review project design, costing mechanisms, project appraisal reports and feasibility studies;
12. Support the creation of good monitoring and reporting practices across 50 project teams;
13. Determines training needs and requirements for project analysts and deploy a wide variety of training methods;
14. Perform other duties as may be required from time to time.

Qualifications

The Land Acquisition specialist will be a practitioner with relevant experience in legal and real estate fundamentals, with in-depth expertise and practical experience in PIM

He will have the following qualifications:

- A successfully completed Bachelor's Degree in the relevant field which is recognized by the University Grants Commission *or* A qualification recognized by the University Grants Commission as an equivalent qualification to the degree in the relevant field *or* A professional qualification successfully completed from recognized professional institute in the relevant field
- At least 10 years of post-qualifying experience in land acquisition and resettlement out of which 05 years should be at a senior level. A positive track record of ability to advise on land acquisition matters and a sound knowledge of rules and regulations with Land acquisition (LAC, Super LAC,..) and SL resettlement policies. A knowledge and experience of World Bank resettlement and safeguard policies would be an advantage;
- Strong multitasker with exceptional skill in functioning well in a high-pressure work environment;
- Excellent computer/reporting skills, including a high level of proficiency with MS Excel and other database/project management tracking tools;
- Proven negotiation and closing skills;
- English fluency

Schedule

The initial assignment is expected to cover a period of 12 months, renewable, starting in May 2018.