



TERMS OF REFERENCE

A CONSULTANCY TO REVISE THE COLLABORATIVE FOREST MANAGEMENT GUIDELINES

1. Background and Justification

The Ministry of Water and Environment and the National Forestry Authority (NFA) have been implementing Collaborative Forest Management (CFM) program in Central Forest Reserves for the past two decades. The CFM approach enables communities to participate in meaningful negotiations and decision-making regarding the routine management of forest resources, and to benefit from the sustainable co-management of forests.

The government recognizes the role of community involvement in forest resource management and has put in place an enabling policy environment through the Forestry Policy of 2001 and the National Forest and Tree Planting Act of 2003 which provide for CFM. Further, the National Forestry and Tree Planting Regulations (2016) in Part IV (Regulations 17-30) strengthen the provisions of CFM.

Collaborative Forest Management aims to establish a mutually agreed upon and beneficial relationship between an eligible local community group and the governing authority and/or owner of either a Central Forest Reserve (CFR) or a Local Forest Reserve (LFR) or a Private Forest (PF) i.e., the “responsible body”. The National Forestry Authority (NFA) is the “responsible body” for CFRs, LFRs fall under the jurisdiction of district local governments, while PFs are registered under the National Forestry and Tree Planting Act (2003) but are the property of private landowners. Under the terms of a CFM agreement, the CFM group takes on specific responsibilities, for example, forest patrolling and management, in exchange for specific benefits, for example, access to forest resources and forest land for tree growing. The responsible body, in turn, takes on the responsibility to support the CFM group and respect and deliver on agreed benefits. The Uganda National Forestry and Tree Planting Act (NFTPA) of 2003 formalises and defines CFM as, “a mutually beneficial arrangement” grounded in **shared roles, responsibilities, rights and returns (benefits)** – the ‘4R’ framework.

CFM has four main components:

1. Design and negotiation
2. Implementation
3. Monitoring and enforcement and
4. Evaluation and learning.

These are underpinned by the following principles:

- An interactive process
- ‘Learning by doing’
- Respect for human rights
- Meaningful participation and shared learning

- Appropriate representation and responsibilities
- Building capacity for change
- Long-term perspective and shared ownership
- Transparent communication, including with marginalised people

CFM is meant to contribute to the realisation of the following NFTP objectives:

- Safeguarding **forest biodiversity and associated benefits** for inter-generational equity
- Promoting **improved livelihoods** through development of the forest sector
- Encouraging and facilitating **public participation** in forest management and conservation
- Raising **public awareness** of the diverse benefits of conserving and increasing forest cover
- Ensuring **sustainable supply** of forest products and services by maintaining a sufficient forest area
- Promoting **equitable sharing** of forest benefits, focusing on vulnerable groups

As a result of these objectives, CFM is expected to:

- **Reduce conflicts** between government and forest adjacent communities
- **Establish fair terms** for access rights and the distribution of benefits, responsibilities and decision-making in forests
- **Ensure fair distribution** of the costs of forest management
- **Enable sharing knowledge** and skills between responsible bodies (NFA, LGs and private forest owners), CFM groups and partners
- **Create a sense of ownership** and promote local people's security of tenure over forest resources

The current CFM guidelines were released in December 2003. Following the recommendations of the recent National CFM Review (2020), the CFM guidelines need to be reviewed and revised, principally to ensure that:

1. The current approach for developing, implementing, and monitoring CFM agreements is fit for purpose, that it addresses the SDGs, landscape restoration in CFM areas, and the newly developed NDP III and Parish Model.
2. The benefit sharing guidelines (a draft was developed in 2017) and recommendations on gender mainstreaming guidelines (AUPWAE 2018) are appropriately incorporated.
3. They address: (i) How arising conflicts related to CFM are to be managed, and (ii) How CFM is to be coordinated and managed at a programmatic level particularly in relation to how NFA and the Ministry work with its NGO and other partners.
4. Opportunities for growing the forest-related livelihoods of forest adjacent communities are pursued as much as possible through following best practices that lead to financially, organizationally, and ecologically successful initiatives. Whereas the provision of guidelines for the development of forest-related micro, small and medium enterprises is not within the remit of the CFM guidelines, the guidelines should set a vision and create an enabling environment for transforming forest-related livelihoods.

Therefore, the Ministry of Water and Environment and National Forestry Authority with support from USAID / USFS are seeking the services of a service provider to review and revise the Collaborative Forest Management (CFM) guidelines which guide how CFM is carried out in Central Forest Reserves (CFRs), Local Forest Reserves and Private Forests in Uganda.

2. Overall purpose and objectives

The overall purpose of the activity is to ensure that the guidelines for Collaborative Forest Management in Uganda are fit for purpose and that they enable CFM to be implemented in an effective, efficient, equitable and well-coordinated manner with appropriate safeguards.

- Task 1: Review the current CFM Guidelines (2003), the legal and policy framework for CFM including the format for the CFM agreements and CFM plans, the draft benefit sharing guidelines (2017) and recommendations on gender mainstreaming (AUPWAE 2018) in juxtaposition to the findings of the National Review on CFM (2020) and with the aid of stakeholder consultations make key recommendations for improving their structure, content and usability.
- Task 2: Revise and redevelop the CFM guidelines, based on the emergent recommendations and ongoing consultations, developing appropriately framed versions designed to be user friendly for communities, practitioners, and responsible bodies
- Task 3: Make recommendations for a straight-forward performance monitoring framework for measuring how well the new guidelines are being implemented
- Task 4: Familiarise selected key forestry officers at the FSSD, NFA, in local government and working for key NGO partners with the guidelines such that they are comfortable with introducing them to their colleagues

3. Deliverables

The service provider will provide the following deliverables:

1. An inception report setting out the approach, methodology, detailed work plan and stakeholders to be involved in the review informed by the existing working timeline set out in the annex to these terms of reference.
2. An interim report setting out:
 - (i) A preliminary structure and content for the revised guidelines based on a review of the work done to date targeted at improving CFM and the CFM guidelines, and
 - (ii) An analysis of additional gaps to be addressed and improvements required generated from consultations with stakeholders and experts
 - (iii) A discussion and articulation of best practices or good examples of guidelines in other contexts and sectors that have worked well.
3. A draft and then a completed set of CFM guidelines to include:
 - (i) A full / comprehensive user-friendly version targeted for use by the Responsible Body institutions and their supporting NGO partners
 - (ii) A popular illustrated version targeted at communities,
 - (iii) Translated versions of the popular illustrated guidelines in five languages - Luganda, Lugbara, Luo, Runyakitara and Swahili.
4. A supporting report documenting the process, considerations and consultations that were carried out underpinning the guidelines together with a set of recommendations for instituting a monitoring and performance framework for the implementation of the guidelines.

4. Service provider's qualifications and experience

1. The lead service provider will be expected to have the following qualifications and experience:
 - A post-graduate degree in forestry or a closely related discipline. A post graduate degree in Social Forestry or related subject is an added advantage.

- A proven track record as a practitioner and provider of advisory services with at least ten years' experience in community-based forestry, some of which must be in Uganda, which includes:
 - Four or more consulting assignments pertaining to community-based forestry and/or related activities
 - Demonstrable experience in working directly with communities, NGOs and government in social forestry roles
 - An ability to draw on personal experience in and/or knowledge of community forestry in other parts Africa
 - Thought leadership and/or intellectual products on best practices in community-based forestry development
 - A good understanding of Collaborative Forest Management in Uganda and equally of the environment in which Ugandan public institutions operate.
 - Excellent interpersonal, listening and communication skills, as well as analytical and report writing skills.
 - Demonstration of having reliably carried out consulting assignments in a timely manner and to a high standard.
2. The lead service provider is encouraged to identify a creative partner who they will work with in developing a popular illustrated version of the guidelines. The creative partner should have the following attributes:
- Be a well-established producer of creative and incisive info-educational materials targeted at rural developing populations in Eastern Africa, and preferably Uganda.
 - Be able to demonstrate a broad / diverse portfolio of creative print products demonstrating a clear understanding of each brief and target audiences, with a well-developed and robust methodology for ensuring the communication effectiveness and fitness for purpose of the materials they develop.
3. The lead service provider will be expected to work with a reputable translation service able to offer the five languages short-listed for use in the production of the popular illustrated version of the guidelines as directed by the Ministry of Water and Environment.

5. Terms and conditions

The service provider will charge competitive professional fees based on the work done / days worked according to pro-rata daily rates for their team up to a fixed ceiling, payable in agreed instalments upon submission and acceptance of the deliverables, the first of which is the inception report which is to be submitted and approved before the service provider proceeds to broadly engage with the full scope of work.

The service provider will report to a task force chaired on behalf of the Commissioner for Forestry, comprising appointed members from government and civil society who will provide overall guidance, including on the structure, content, and format of each deliverable.

The service provider will be provided with logistical support and reimbursed pre-agree reasonable receipted work-related expenses while in the field. The service provider should liaise closely with the contract manager about the eligibility of expenses and how these expenses are to be accounted for.

The consultancy must be completed within the timeline set out in the annex to these terms of reference unless otherwise agreed in writing by the task force chairperson.

6. Bid submission and selection

Prospective applicants should submit their bid in strict compliance with the bid instructions set out below by email to cfm.guidelines.review@gmail.com by **17:00hrs Monday 3rd**

November 2021 addressed to the Chairperson, the CFM Guidelines Review Taskforce, Ministry of Water and Environment. Bids must be sent in PDF format. All bids received will be acknowledged. Prospective service provider bids should be comprised of:

1. A headed introductory cover letter of a maximum of two pages in length summarily setting out the competency and experience of the service provider together with the main points / highlights of their bid.
2. A concise and incisive assessment and response to the terms of reference, focussing on how the prospective service provider proposes to respond to the four tasks in an effective and meaningful manner, that is contextually realistic, intelligent and innovative. The analysis and summary proposal, including a preliminary work plan overview, should not exceed 5 pages in length, in a 11pt font single line spaced format, excluding any supporting annexes, title pages, tables of content, etc.
3. The curriculum(a) vitae of the service provider's team not exceeding three pages each, together with the details of three referees for each team member. It is expected that the proposed teams should be limited to no more than two principal service providers unless otherwise clearly justified together with a limited number of supporting team members chosen at the discretion of the principal service providers. Academic and other certificates are not to be included in bid submissions but may be subsequently requested by the selection committee for inspection.
4. A financial proposal of not more than three pages definitively setting out the service provider's direct costs (professional fees) and providing an estimate of process costs and field expenses to be refunded as reimbursables. The service provider will be expected to include the costs of the creative partner and initial sample copies of creative content sufficient for review and validation but not full print runs nor the costs of the translation service in their financial proposal.
5. In developing their financial proposals, bidders are advised that they should bear in mind sensible public health measures in planning / costing the participation of stakeholders according to the latest guidance provided by the Ministry of Health. Attendance allowances for stakeholders are not permissible but reasonable transport costs are, as are reasonable costs for food and non-alcoholic beverages for longer meetings, and accommodation if and where necessary. Service providers should also bear in mind that **the financial proposal will be treated as inclusive of all applicable taxes**, regardless of whether they have been explicitly considered in their proposal.

Bid submissions will be evaluated by a selection committee based on their technical merit and financial efficacy (value for money), and the results aimed to be communicated by 17:00 hrs Monday 22nd November 2021. **Applicants are warned that failure to follow the bid guidelines as set out above will result in the disqualification of their bid, regardless of merit.** The committee reserves the right not to select any of the bids tendered.

ANNEX – Working timeline for the CFM Guidelines review

Date	Event / Milestone	Description
2021		
Friday 20 th August	Taskforce meeting 1	Initial planning for the CFM Guidelines review & discussion of Taskforce ToRs and composition
Friday 24 th September	Taskforce meeting 2	Initial review of CFM Guidelines ToRs & finalisation of Taskforce composition
Monday 11 th October	Taskforce meeting 3	Finalisation of CFM Guidelines ToRs and Timeline + AOB
Thursday 21 st October	<i>Advertisement for service providers</i>	Advertisement published for CFM Guidelines review service providers
Wednesday 03 rd November	<i>Deadline for bids</i>	Deadline for bids from prospective service providers
Friday 05 th November	Taskforce meeting 4	Review of bid applications and shortlist for interview(s)
Friday 12 th November	Taskforce meeting 5	Interview(s) and final selection completed
Wednesday 24 th November	<i>Deadline for selection of service provider</i>	Negotiations with winning bidder and contracting finalised
Friday 26 th November	Taskforce meeting 6	Inception Meeting with service provider
Wednesday 15 th December	<i>Submission of Inception report</i>	For review by Taskforce
Friday 17 th December	Review Taskforce meeting 7	Presentation and approval of Inception report
2022		
Wednesday 19 th January	<i>Submission of Interim report</i>	For review by Taskforce
Friday 21 st January	Review Taskforce meeting 8	Presentation and approval of Interim report
Friday 11 th February	<i>Submission of draft CFM Guidelines and concept for popular illustrated version</i>	For review by Taskforce
Friday 18 th February	Review Taskforce meeting 9	Presentation and acceptance of draft CFM Guidelines and concept for the popular illustrated version
Monday 21 st February – Friday 11 th March	<i>Working group on the popular illustrated version</i>	A small working group to support the text development for the popular illustrated version
Friday 25 th March	<i>Submission of the draft popular illustrated version</i>	For review by the Taskforce
	<i>Submission of revised draft version of CFM Guidelines (as needed)</i>	
Friday 1 st April	Review Taskforce meeting 10	Initial approval of draft popular illustrated version and draft CFM Guidelines (the latter, if revisions were requested)
Thursday 7 th April	<i>Validation workshop of draft CFM Guidelines and popular illustrated version</i>	1.5-day validation workshop for stakeholders

Date	Event / Milestone	Description
Friday 29 th April	<i>Deadline for translation of popular illustrated versions into five languages & the service provider's final report</i>	Submission of: (i) CFM Guidelines with approved inputs from validation workshop (ii) CFM popular illustrated version with approve inputs from the validation workshop (iii) Proofed & tested popular version translations (iv) The service provider's final report
Friday May 6 th	Review Taskforce meeting 11	Review and approval of final submissions
May & June 2022	<i>Approval by MWE & NFA of the final versions of CFM Guidelines and popular illustrated versions</i>	