



Request for Proposals

Title: Development of Draft FPIC Guidelines for Stakeholder Engagement with Indigenous Peoples and Local Communities (IPLCs) (Phase 1) Consultant

Date of Issuance: May 22, 2024

Location: Georgetown, Guyana

Type: Individual/Firm

Procurement Method: Open

Duration: Five (5) calendar months

Language: Proficiency in English

1. Background

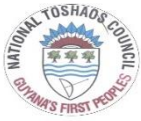
National Toshihos Council (NTC)

The National Toshihos Council (NTC) is a Body Corporate that is legislated under Part IV of the Amerindian Act of 2006. It is comprised of all elected Village Toshihos of Guyana. Through its constituent network of village leaders, the NTC maintains a connection to all Amerindian Villages and communities.

The Amerindian Act of 2006 outlines the NTC's mandate to:

- Promote good governance § 41 (c)
- Prepare strategies and plans for reducing poverty, improving access to health & education § 41 (d), and to protect, conserve and sustainably manage village lands and resources § 41 (e)
- Promote Amerindian languages § 41 (f)
- Advise the Minister of Amerindian Affairs on the protection of Amerindian culture, the development of Villages, and the impact of legislation and policy on Amerindian communities § 41 (g)
- Coordinate and integrate the activities of villages on a national basis § 41 (h)
- Share, document and record the experiences of villages § 41 (i).

The NTC is guided by a 20-member Executive Committee, elected from amongst current Toshihos from the 10 administrative regions of Guyana. The work of the NTC is supported by a Secretariat in Georgetown.



Project Overview:

With support from Norway's International Climate and Forest Initiative (NICFI) via the Norwegian Agency for Development Cooperation (NORAD), the National Toshias Council and Conservation International Foundation Guyana (CI-Guyana), are implementing a project aimed at working with Indigenous Peoples, and Local Communities, and key stakeholders across the natural resources management sector to promote good practices that enable responsible mining¹ in Guyana to maintain low deforestation rate caused by mining on indigenous community lands. The goal of the project will be accomplished with the rights of Indigenous Peoples and local communities (IPLCs) secured and protected, livelihood options improved, and IPLC capacity to manage their natural resources and maintain ecosystem services increased.

The project is titled, "Empowering Indigenous People and Local Communities in Guyana to combat deforestation caused by mining" (hereinafter referred to as "The Project").

Through this project, the NTC's institutional capacity will be improved to serve Indigenous communities including the support for the development of a closer working relationship between the NTC/Indigenous communities and miners to create a more collaborative approach for responsible mining practices.

A key outcome of the project is for communities to have the policies, regulations, and protocols in place to promote sustainable forest use, maintain low deforestation rates and contribute towards government responsibility to meet the contributions listed in Guyana's Nationally Determined Contributions (NDCs) through a multi-stakeholder and inclusive dialogue and decision-making approach. To this end, The Project is supporting this assignment to develop Free, Prior and Informed Consent (FPIC) Guidelines for stakeholder engagement with IPLCs.

1. Rationale of the intervention

In Guyana, support from the government, NGOs, and the private sector has been crucial in assisting indigenous peoples in the development of their villages. These stakeholders have varying approaches to engaging indigenous communities, which variously incorporate FPIC principles. However, there

¹ Mining is the main driver of deforestation and forest degradation in Guyana.



remains a gap between indigenous communities and external actors. To bridge this gap effectively, there is a pressing need for the development of FPIC guidelines, with input from indigenous peoples themselves, regarding their preferred methods of engagement both internally within their villages and externally with stakeholders.

The development of the FPIC guidelines will be informed by national legislation, including The Constitution and the Amerindian Act 2006, as well as international best practices, such as the UNDRIP, ILO, and International Human Rights Laws.

These FPIC guidelines will not only strengthen the consultation processes but also ensure that indigenous peoples' rights are respected and upheld. In an environment where indigenous peoples are facing unprecedented development and increased access to funding, well-developed and implemented FPIC guidelines are crucial. Such guidelines will facilitate the sustainable and responsible management of natural resources, safeguarding cultural heritage, traditional knowledge, and the environment while avoiding/minimizing negative impacts. By involving indigenous communities in decision-making processes, these guidelines will promote inclusive and equitable development, fostering mutual respect and understanding between indigenous peoples and external stakeholders.

2. Consultancy Objectives

The consultancy aims to map the process for how to follow FPIC principles agreed upon by IPLCs and stated within national policies and strategies. The consultancy will be carried out to identify the best practices and acceptable procedures for engagement with IPLCs at all levels of a project, plan, or initiative ensuring alignment with FPIC guidelines.

Under the overall supervision of the NTC and the FPIC working group, the FPIC process will be developed through desk reviews, workshops, and other stakeholder engagements. The NTC and members of the FPIC working group will be integrally involved in the development process to design, implement, and maintain FPIC throughout the project.

The FPIC guidelines development process will be conducted in two phases:

Phase 1: A desk review of current literature on applying FPIC principles for IPLCs' engagements in Guyana and a draft FPIC document to be circulated to stakeholders and presented for inputs at the upcoming Annual NTC Conference 2024.



Phase 2: Building on the inputs from the draft document that was circulated and presented at the NTC Conference, a nationwide IPLC consultation on the document will be conducted for reviews, inputs, comments, and feedback. A final document will be compiled, presented and adopted at the end of this phase, at the annual NTC Conference 2025, and presented to the National Assembly.

This consultancy will focus on Phase 1 only.

3. Characteristics of Consultancy

Type: Individual/Firm

Procurement Method: Open

Duration: Five (5) months

Place of Work: In Country/Remote

Language: Proficiency in English (both written and spoken)

4. Scope of Services

The NTC now requires a local consultant or firm to facilitate the first phase of the FPIC Guideline Development Process, which is to develop the first draft FPIC Guidelines for Stakeholder Engagement with IPLCs.

The consultant will conduct a contextual analysis with the aim of better understanding the principles of Free, Prior and Informed Consent (FPIC) applicable in Guyana, and prepare a draft FPIC document for IPLCs in support of this analysis, to be circulated and presented at the NTC Conference 2024.

The consultant will:

1. Conduct stakeholder mapping and engage key stakeholders to learn the principles and protocols that they use. These stakeholders may include government agencies, NGOs including IPOs, private sectors, district councils, village councils, and villagers.
2. Establish key policies and practices to be included in the desk review, e.g. UNDRIP, ILO international human rights law, the Constitution, existing legislation, frameworks, international standards, and policies and strategies linked to FPIC principles.
3. Conduct a desk review to identify strengths, opportunities, gaps, and challenges, including identifying patterns and preferences of IPLCs.



4. Draft the FPIC Guidelines with inputs from IPLCs and other stakeholders in Guyana.
5. Organize workshops/meetings with FPIC working group and stakeholders to discuss findings.

In executing the consultancy, the consultant will continuously engage with the Project Management Team, and relevant stakeholders in alignment with FPIC principles.

5. Estimated Timeline:

The consultancy will be executed from June 2024 to October 2024.

6. Specific Qualifications and Competencies

6.1 Qualifications

- A university degree in Rural Development, Communications, Public Management, law, Environmental Studies, Climate, or a related field.
- Minimum of 5 years of experience related to academia, communications, public management, and indigenous peoples' development.

6.2 Competencies

Demonstrate capacity to work with and lead engagement with IPLCs across Guyana, senior representatives of government, and civil society actors.

Demonstrate knowledge of and experience related to consultations, communications, public relations, and working with stakeholders.

Knowledge and understanding of national policies and international commitments and good practices related to Indigenous people's rights,

Detailed understanding of the multi-dimensional issues engaging IPLCs

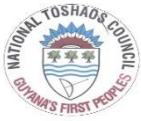
Respect for Indigenous people's cultures and practices.

Competency in research and reporting

Excellent computer literacy inclusive of Microsoft Office.

Excellent knowledge and understanding of the socio-economic and political context of the country.

Excellent written skills in the English language.



7. Deliverables:

D#	Deliverable	Timeline
1	Inception Report detailing understanding of the assignment, work plan, and how the consultant will undertake the consultancy.	Week 2
2	Desk review report of existing literature identifying gaps, strengths, challenges and opportunities within existing local and international frameworks (Constitution, legislation, etc), international standards, policies and strategies linked to FPIC principles.	Week 6
3	Stakeholder engagement report	Week 12
4	Interim Report on FPIC Guidelines based on desk review and stakeholder engagements.	Week 15
5	Final first Draft FPIC Guidelines on Development Process for Stakeholder Engagement with IPLC.	Week 20

8. Submission Details

The proposal should provide guidance by which deliverables and due dates will be determined.

- a. Cover letter: Applicant should include a cover letter for their proposal, listing all documents submitted. The cover letter should provide a complete mailing address, street address (if different), electronic mail address(es), and telephone numbers.
- b. Curriculum Vitae of Key Personnel: Sub-contractors during the contract period will not be permitted unless explicitly agreed upon.
- c. Technical Proposal (Timeline, Deliverables, and Budget): A summary proposal on your interpretation of this RFP with key deliverables and milestones that meet the timeline identified below. The technical proposal should clearly demonstrate the consultant's past relevant experience, include a CV of each key expert if more than one individual is proposed, and provide a detailed approach, methodology, and work plan.
- d. Detailed Budget. This project will cover the cost of all activities associated with the consultancy, including consultation workshops.

Service Provider shall use its best efforts to minimize the financing of any taxes on goods and services, or the importation, manufacture, procurement, or supply thereof. If the Service Provider is eligible to apply for refunds on taxes paid, Service Provider shall do so. Any tax savings should be reflected in the Service Fee. Service Provider hereby expressly binds itself to include language



substantially reflecting the terms of this provision in all subcontracts issued under this Agreement.

The proposal must be received no later than **11:59PM on June 10, 2024**, in **hard copy or electronic format** at any or both of the following addresses:

Physical Address:

National TOSHAOS Council

Attn:

National Exhibition Centre

Sophia

Georgetown. Guyana.

E-mail Address:

ntoshaoscouncil@yahoo.com

Submissions must include:

- a. Articles of Incorporation or Business Registration;**
- b. Guyana Revenue Authority Compliance or equivalent from any other country;**
- c. National Insurance Scheme Compliance or equivalent from any other country;**
and
- d. Declaration of Good Standing (Attachment 1).**

9. Language

All documents and communications relating to this RFP shall be in English.

10. Evaluation Criteria

In evaluating proposals, NTC will seek the best value for money considering the merits of the technical and financial proposals. Proposals will be evaluated using the following criteria:

Proposals will be evaluated ONLY against the Evaluation Criteria in the RFP (no other evaluation criteria may be considered for selection).

Evaluation Criteria	Score (out of 100)
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Is the proposed approach and methodology appropriate to the assignment and practical in the prevailing project circumstances?	25
Is the presentation clear and is the sequence of activities and the planning logical, realistic, and promises efficient implementation to the project?	25
Proof of Experience with project of similar work: Does the bidder's past performance demonstrate recent proven experience doing similar work?	25
Proof of Qualifications: Does the bidder and the proposed personnel have the qualifications and specific technical expertise for the assignment?	15
Cost: Costs proposed are reasonable and realistic and reflect a solid understanding of the assignment.	10

11. Proposal Timeline

RFP Issued	May 22, 2024
Clarifications submitted to NTC	June 4, 2024
Clarifications provided to known bidders	June 6, 2024
Complete proposals due to NTC	June 10, 2024

12. Period of Validity of Bids

Entities are required to hold submitted proposals valid for at least 90 days from the date of submission during which period they will maintain, without change, their price proposal. NTC is expected to finalize the agreement within this period.

13. Confidentiality

All proprietary information provided by the bidder shall be treated as confidential and will not be shared with potential or actual applicants during the solicitation process. This includes but is not limited to price quotations, cost proposals and technical proposals. NTC may, but is not obliged to, post procurement awards on its public website after the solicitation process has

concluded, and the contract has been awarded. NTC's evaluation results are confidential and applicant scoring will not be shared among bidders.

14. Attachments:

Attachment 1: Declaration of Good Standing

DECLARATION OF GOOD STANDING

Date:

	Tenderer certifies:	Yes	No
a.	they are not 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. However, tenderers in this situation may be eligible to participate insofar as the Grant Recipient is able to purchase supplies on particularly advantageous terms from either a supplier which is definitively winding up its business activities, or the receivers or liquidators of a bankruptcy, through an arrangement with creditors, or through a similar procedure under national law;		
b.	they or persons having powers of representation, decision-making or control over them have not been convicted of an offence concerning their professional conduct by a final judgement;		
c.	they have not been found guilty of grave professional misconduct; proven by any justifiable means;		
d.	they have fulfilled obligations relating to the payment of social security contributions or taxes in accordance with the legal provisions of the country in which they are established, or with those of the country of the Grant Recipient 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 not been convicted for fraud, corruption, involvement in a criminal organisation or money laundering by a final judgement;		
f.	they do not engage in the use of child labour or forced labour and/or practise discrimination, and/or do not respect the right to freedom of association and the right to organise and engage in collective bargaining pursuant to the core conventions of the International Labour Organization (ILO).		
g.	they are not in any of the situations listed above. Even if such confirmation is given by a tenderer, any of the situations listed above can be investigated if reasonable grounds are found to doubt the contents of such confirmation.		

Submitted by:

Signature: