

**FEDERAL REPUBLIC OF NIGERIA
MINISTRY OF MINES AND STEEL DEVELOPMENT**

**MINERAL SECTOR SUPPORT FOR ECONOMIC DIVERSIFICATION
PROJECT (MinDiver)**

**Terms of Reference for the Engagement of a Consultant to
Identify-20 PRIORITIZED Abandoned Mine Sites in Nigeria and
Develop an Action Plan for their Rehabilitation**

1.0 INTRODUCTION

The Federal Government of Nigeria has obtained a credit from the International Development Association (IDA) to fund the Mineral Sector Support for Economic Diversification (MinDiver) Project. The project has the following development objectives:

- a. To improve the attractiveness of the Nigerian Mining sector, as a driver for economic diversification, for long-term private sector investment in the exploration and production of minerals.
- b. To create a globally competitive sector capable of contributing to wealth creation, providing jobs and advancing our social and human security.

2.0 BACKGROUND

The Federal Government of Nigeria has embarked on an economic diversification campaign with the aim of leveraging on the Nation's vast natural resources to diversify the economy from the oil and gas sector to achieve economic emancipation.

The sector's growth and contributions to GDP have remained less than ideal, accounting for only about 0.33% in 2015. To address this, the Ministry of Mines and Steel Development (MMSD) recently developed a roadmap for mining growth and development with objectives to deepen sector reforms, attract new investors and collaborate with a wide network of partners and stakeholders to rejuvenate the sector and build a prosperous economy propelled by inflows from the solid minerals sector.

The overall objective of the MinDiver Project is to link with the Roadmap and enhance the mining sector's contribution to the economy by strengthening key government institutions, improving information infrastructure and knowledge, and fostering domestic investment in the sector. The Project consists of the following parts:

Part A. Establishing a Strong Foundation for Mining Sector Development

1. Carrying out of a program of activities designed to strengthen the MMSD's capacity for governance and administration of the mining sector;
2. Carrying out of a program of activities designed to strengthen the Nigerian Geological Survey Agency as well as geological knowledge and information infrastructure for the mining sector,
3. Implementing a program of activities designed to strengthen the Recipient's capacity for management of environmental, health and social impacts in the sector

Part B. Facilitating Downstream Sector Development and Enhancing Competitiveness

1. Strengthening administration of the artisanal and small scale mining sub-sector,
2. Implementing a program of activities designed to leverage the mineral sector for regional development
3. Implementing a program of activities designed to enhance value addition to mineral products (including upstream development of industrial minerals and dimension stones domain) in the mining sector,
4. Implementing a program of activities designed to advance proof-of-concept investments and to attract private sector investments

Part C. Project Management and Coordination

1. Strengthening the capacity of the MMSD for implementation, supervision and management of the Project through the provision of goods, consulting services, non-consulting services, operating costs and training for the purpose.
2. Supporting quality control of Project activities and outputs as well as monitoring and evaluation of Project outputs and results.

The key results of the project will include:

- i. Increased availability of precompetitive geo-science data enhancing mineral transactions;
- ii. Institutional information systems integrated with multi-sector planning tools;
- iii. Incentives created for Artisanal and Small-Scale Mining (ASM) formalization;
- iv. Improved environmental and social compliance by mining industry operators

3.0 OBJECTIVES

The National Minerals and Metal Policy which was formulated and adopted in the 2005-2012 period of mining sector reform attempted to address environmental issues. The policy instrument, which later culminated into the Nigerian Minerals and Mining Act, 2007, emphasized sustainable mineral resource development through the provision of adequate environmental and social safeguards. It also acknowledged the need to limit environmental degradation to the barest minimum, while addressing various legacy issues arising from unregulated mining activities of the pre-1946 mineral title era. Going forward, the Nigerian Minerals and Mining Act 2007 provides for the establishment of the Environmental protection and Rehabilitation Program aimed at guaranteeing the environmental obligations of every mineral title holder. However, the Federal Government has taken the responsibility of redressing the environmental degradation as a result of the pre-1946 mineral title regime, when there were no restoration or rehabilitation conditions attached to the grant of title then.

In 2008, the World Bank through the Sustainable Management of Mineral Resources Project, assisted in providing technical assistance for the inventory of abandoned mine site nationwide and action plan. The inventory was updated in 2018 with particular focus on the enumeration and locations of the degraded mine sites. About 500 abandoned mine sites were documented, nationwide out of which 30 abandoned mine sites have so far been reclaimed.

The Government, recognizing the need to redress various legacy issues arising from the previous unregulated mining, has been committing substantial part of its budgetary allocation to rehabilitation program. Unfortunately, some of the

selected sites for rehabilitation are often met with resistance by the communities who normally derive some form of economic activities around the abandoned mines. This has been impeding progress and therefore require technical assistance.

4.0 SCOPE OF WORK

The main role of this Consultant is to provide technical advisory support to MMSD in the overall implementation of the Ministry's objectives for the MinDiver Project. The scope of this assignment covers a critical review of several documents on inventory of abandoned mine sites across the country and the recently updated version. Rehabilitation requires a consideration of environmental and social risks posed by each site. To this end, this assignment aims to conduct a risk assessment on the identified sites and engage critical stakeholders on the need for rehabilitation as well as the best rehabilitation methods.

The consultant's duties and responsibilities in implementing this service include, the following:

- i. Review of existing documents on the inventory of abandoned mine sites in Nigeria;
- ii. Undertake on the spot assessment of the sites and consult some miners to identify abandoned mine sites in the states which were legally or illegally mined and describe the negative impacts to the environment;
- iii. Develop screening criteria for the abandoned mine sites;
- iv. Based on the criteria developed, prioritized the sites and identify top 20 hazardous abandoned mine sites (include their coordinates) for rehabilitation using a justifiable hazard risk index;
- v. Conduct environmental and social screening of the prioritized identified mine sites for reclamation;
- vi. Suggest rehabilitation methods, based on wide consultations and with due consideration for economic, environmental and social factors;
- vii. The Consultant shall assess the cause(s) of abandonment of the 20 prioritized abandoned mine sites; and.
- viii. Develop an action plan which clearly suggest 'best alternative use' of the abandoned mine sites in line with the World Bank applicable standards;

5.0 CONSULTANT'S QUALIFICATION:

The Consultancy firm shall include a multi-disciplinary team with individuals that have the necessary expertise required to complete the work as specified within the terms of reference for the assignment. The experience required of the consultant is as detailed below:

- a. Knowledge of and experience in environmental and social management and assessment of infrastructure projects, specifically in Nigeria;
- b. Skills and experience in Environmental and Social Impact Assessment, Environmental and Social Auditing, and Environmental and Social Management in infrastructure projects. Having such experience in mining sector and Nigeria is an added advantage;
- c. Track record of successful project management, team work, and project delivery is essential.
- d. Experience of working on a World Bank assisted project or similar Multilateral Institution environment will be an added advantage.

The consultant team will work closely with the PIU and staff of MMSD, who should be included in the process, to provide technical advice and a coordinated response to this exercise.

5.1 Key staff Qualifications

The Consultant team shall include a Team Leader and 3 NO. other key staff;

- i. Environmental/ Social Specialist and Team Leader 1No.** He/She must possess a minimum of a Degree in Environmental Resource Management, Environmental Sciences/Economics, or related discipline with at least ten (10) years' experience in environmental assessments preferably related to infrastructure development projects. Relevant experience in preparation and implementation of Environmental and Social Management Plans, social safeguard instruments among others. Familiarity with Bank safeguards standards and best practice in involuntary resettlement is necessary. Experience in health impact assessment would be an advantage. He/She should have demonstrated skills working effectively with public sector clients and delivering products in a timely and professional manner.

Good interpersonal skills will be essential, including the ability to work with the staff of MMSD and other stakeholders involved in implementing this activity.

- ii. Public consultation facilitator 1No.-** He/ She should possess a minimum Degree in Communication, public Administration, Marketing, or related field of study, from a recognized University. He/ She must possess at least five years' experience in public participation in Nigeria, including community and grass-root engagement and consultation. Must be knowledgeable and have expertise with the similarities and differences for effective community consultation and participation. Must be familiar with existing policies and regulations regarding stakeholder communication / consultation / engagement.
- iii. Mining Engineer/ Geologist (1 No),** He/ She must possess a minimum of a university Degree in Mining Engineering, Geology or related discipline with professional qualification and at least ten (10) years' practical experience in the mining sector particularly in operations and undertaking monitoring and audit activities. Must have demonstrable Knowledge of the mining and minerals sector policy and regulatory compliance regarding HSE issues in the mining sector.
- iv. Civil Engineer/Quantity Surveyor 1No;-** A relevant university degree in Quantity Survey/Architecture or Civil /Building Engineering duly registered with relevant professional bodies and with at least ten (10) years cognate experience.
Specific professional experience in the design and construction supervision of new and refurbished buildings. Experience in preparing bill of quantities, bidding documents for construction and refurbished buildings. Knowledge of Nigerian building regulations and legislation. Skills and experience in project management, monitoring and evaluation as well as coordinating of similar works. A demonstrated understanding and analytical capacity in the identification of issues relating to indicators of performance in projects; Ability to provide quantitative and qualitative indicators to measure performance;

6.0 REMUNERATION AND PAYMENT TERMS

Remuneration of the consultant is attractive and commensurate with those offered by international bodies for similar assignments. The assignment will involve visiting selected states with high presence of mining activities across the country..

However, the consultant will also be reimbursed for operational expenses such as travel, accommodation, and telephone incurred while carrying out this assignment and in line with World Bank guidelines and procedures.

The successful consultant would be paid a lump sum amount, in accordance with an agreed schedule of deliverables.

7.0 DURATION OF SERVICE

It is expected that service of the Consultant is required for a period of six (6) months.

8.0 OUTPUT

8.1. The consultant will produce the following reports:

- a. **An Inception Report** to outline the work plan of the consultant, define its tasks and the planned implementation periods and schedules, identify target submission dates on each task. The inception report will be submitted within one month of the commencement of the assignment and once approved and issued in its final form, will serve as the consultancy's baseline for the management and monitoring of the tasks;
- b. **Bi-Monthly Progress Reports of activities carried out within the period**; The Consultant shall prepare bi-monthly Progress Reports covering progress towards achieving the objectives in this ToR as well as identified areas of weaknesses and strategies for improvement. The reports shall provide a brief and comprehensive assessment and details of progress of the works including challenges and proposals for overcoming them. These reports shall be submitted within the first week of the succeeding month. The report will be assessed and appraised by the Mines Environmental Compliance Department of MMSD in conjunction with the MinDiver safeguards unit.
- c. **A Draft Final Report**, within the first week of the last month of the assignment
- d. **A Final Report** bound in three (3) copies and an electronic copy in CD, within the last week of the assignment.

8.2. DELIVERABLES TO BE PRODUCED

- i. Report of review of existing documents on the inventory of abandoned mine sites in Nigeria;

- ii. Report on the spot assessment of identified abandoned mine sites in the states.
- iii. Report of top 20 hazardous abandoned mine sites (include their coordinates) identified based on developed selection criteria.
- iv. Report on environmental and social screening of the prioritized identified mine sites for reclamation;
- v. Recommendations for rehabilitation methods, based on wide consultations and with due consideration for economic, environmental and social factors;
- vi. Report on assessment of the cause(s) of abandonment of the 20 prioritized abandoned mine sites;
- vii. Recommendations and action plan for ‘best alternative use’ of the abandoned mine sites in line with the World Bank applicable standards;

Note:

All Reports Shall Be in English and Presented in Hard and Soft Copies to the Project Coordinator for review.

THE CONSULTANT WILL SIGN A CONFIDENTIALITY and NO-DISCLOSURE AGREEMENT WITH THE PIU (Project Coordinator overseen by the World Bank). Noncompliance will be subject to legal penalties not inferior to the Full Cost of the Contract.

NO FINAL PAYMENT WILL BE MADE UNTIL QA/QC HAS BEEN PASSED

9.0 SELECTION METHOD

The consultant will be selected through Consultant Qualification (CQ) selection method.