

Terms of reference (ToR) for the procurement of services

Implementation of FPIC, Pilot of SKT Issuance SOP, and Development of a Computerized SKT System at Village Level in Bengalon & Rantau Pulung, East Kutai

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I. General information

1. Brief information on the project

The Sustainability and Value Added in Agricultural Supply Chains in Indonesia (SASCI+) is a five-year project conducted on behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ) as a part of the “Special Initiative Transformation of Agricultural and Food Systems” (AGER). The program promotes the sustainability of selected agricultural supply chains in partner countries and is implemented by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH.

Sustainable Landscape Initiative in Kutai Timur (SUSTAIN KUTIM) is a multi-actor initiative to strengthen the capacity of the East Kutai District Government, local communities, smallholders, workers, and plantation companies in transforming Kutai Timur to be a sustainable region in agriculture (with a focus on palm oil and rubber) production. The initiative supported and funded by the German Federal Ministry for Economic Cooperation and Development (BMZ) and the Swiss Government through the State Secretariat for Economic Affairs (SECO) and implemented by a consortium partners led by GIZ SASCI+, Tanah Air Lestari (TAL) and Proforest.

The initiative is expected last until mid of 2026 to achieve the following outcomes:

- On additional 30,000 ha of areas worthy of protection, supported actors have made a concrete contribution to conservation and sustainable management.
- In 2,400 ha of supported farms in sustainable agriculture chains, average income has risen by 5%.
- Increased supply of fresh fruit bunch oil palm and natural rubber from registered/traceable and (certified) sustainably managed smallholder plantations to the processing plants.
- The employment situation in rubber and palm oil supply chains has improved for 200 people, of whom 9% are young adults and 30% are women.
- Five communities (villages) achieve self-determination of their natural resources and land tenure security through formalised spatial plans, village enterprises or social forestry.
- Two public financial instruments/ measures/ approaches with sustainable landscape/plantation relevance are taken up by local partners (additional outcome indicator as agreed with SECO)

By following the guidance from the East Kutai District Government, the SUSTAIN KUTIM will contribute to the implementation of the Sustainable Plantation Plan by:

- strengthening foundational elements of sustainable regions,
- enhancing the capacity of producers and local communities in High Conservation Value (HCV) area management, and
- supporting the independent smallholders for tenurial and operational legalities as well as sustainable production.

Despite some encouraging developments, Kutai Timur still needs to address the following challenges:

- Institutional capacity to operationalize the joint commitments for collaborative actions to steer and implement the mutually agreed Sustainable Plantation Plan 2021-2030.
- Management of unfragmented district-wide HCV areas.

- Institutionalisation of sustainable principles that are still missing in the existing local laws and regulations (e.g., FPIC, zero burning, peat and wetland conservation)
- Lack of support and incentives for smallholders either from government or supply chain actors for sustainability transformation, particularly for legality (land title, farm registration), organizational development, and advisory service.

2. Context

Legal land ownership is a crucial asset for communities, yet the process of obtaining official recognition remains challenging. Law Number 5 of 1960 concerning Basic Agrarian Principles mandates that landowners register their land rights. However, many communities struggle to prove continuous and good-faith occupation of the land for 20 consecutive years, as required by law. The lack of written ownership evidence often leads to informal land claims at the community level. Consequently, only a small proportion of smallholders possess valid land certificates for their farms.

As of July 2022, in East Kutai Regency, only 17%—or approximately 12,500 hectares—of smallholder oil palm plantations (excluding other crop commodities) have been officially registered. While land ownership certification for smallholders remains incomplete, the low registration rate highlights the fact that only a small portion of agricultural land has formal documentation. Smallholder plantations require two forms of legal recognition: ownership legality and agricultural registration. The strongest proof of land ownership is the Land Ownership Certificate (Sertifikat Hak Milik/SHM). While district governments do not have the authority to issue land ownership certificates, they do authorize village governments and sub-district offices to provide land tenure history certification through the issuance of a Land Tenure History Letter (Surat Keterangan Riwayat Penguasaan Tanah/SKT).

However, in several villages—based on prior program collaborations in Wahau and Kongbeng—the acquisition of SKT has not been properly recorded in the village administration database, and the requirements for obtaining it remain unclear. In some cases, SKTs have been issued for land within state forest areas, including land that overlaps with designated uses (HGU – Hak Guna Usaha). Furthermore, the procedures for obtaining SKTs vary between villages and sub-districts, leading to inconsistencies in the process. To address these challenges, East Kutai Regent Regulation Number 42 of 2014 on the Implementation of Land Control Administration for State Land (Perbup 42/2014) serves as a legal mechanism to provide communities with land security. This regulation facilitates the issuance of SKTs for land controlled in good faith but lacking formal proof of continuous occupation for 20 years, thereby making such land eligible for registration.

Based on these conditions, the Regional Government, through the Sustainable Landscape Initiatives Program for East Kutai (SUSTAIN Kutim), has conducted a study to develop policy recommendations and technical guidelines related to SKT issuance and services. The study analyses legal norms in existing regulations concerning SKT submission and issuance in East Kutai Regency through a literature review. Additionally, it evaluates the implementation of Perbup 42/2014 through field studies, clarifies procedural standards and policies, and provides recommendations for service models or standard operating procedures (SOPs) to be tested at the local level. To implement the results of the study, it is essential to involve experts who can provide guidance and support to village governments within the SUSTAIN KUTIM piloting work area. These experts will play a key role in strengthening and improving the SKT issuance system at the local level, as well as enhancing the capacity of government officials, cooperatives, and other relevant stakeholders involved in the process.

3. GIZ shall hire the contractor for the anticipated contract term, from **11 July 2025** to **20 November 2025**.

The services described in Section 4 shall be provided until 31 October 2025.

4. The contractor shall provide the following work/service

- a. Conduct the FPIC Mechanism in the Piloting village or sub district of the SKT Issuance System: Participatory Approach at Village and Sub-district Levels
 - Obtain free, prior, and informed consent (FPIC) from key actors—namely the sub-district and/or village governments—for the pilot implementation of the SKT (Land Tenure Certificate Letter) issuance system and Standard Operating Procedures (SOP). This should be based on comprehensive information derived from the SKT policy study (see Appendix 1).
 - Develop an FPIC implementation plan tailored to the village's social, cultural, and institutional context.
 - Identify key stakeholders within the village government to establish a task force responsible for SKT issuance at the village level.
 - Organize and facilitate inclusive, participatory consultation meetings (up to 2 events) at the village level, ensuring that all relevant actors in the pilot villages (Rantau Pulung and Bengalon) are given fair opportunities to express their views, concerns, or support regarding the proposed plan.
 - Document the entire FPIC process in both written and visual formats, including attendance lists, meeting minutes, and signed statements of consent or dissent from key actors in the village and sub-district governments.
 - Prepare a FPIC report, complete with recommendations for follow-up actions.
- b. Facilitation and Evaluation of the Surat Keterangan Riwayat Penguasaan Tanah (SKT) SOP based on Initial Study as Piloting cases at the Village Level
 - Develop a structured implementation plan for the pilot, including a detailed activity schedule, required resources, and defined roles for all involved parties.
 - Support the village government through each stage of SKT issuance according to the established SOP.
 - Provide training or orientation sessions (up to 8 events) for village officials on the SOP, including familiarization with standard forms and documentation procedures.
 - Record the entire pilot process, including challenges and any adaptations made during implementation.
 - Document all stages of the SKT issuance process, from simulation exercises, form completion, and land ownership data validation to the actual issuance of SKTs.
 - Facilitate reflection sessions, focus group discussions (FGDs), or community forums to evaluate understanding, identify challenges, and gather input for improving the SOP from end-users.
 - Prepare a comprehensive report on the pilot outcomes, including SOP effectiveness, implementation challenges, and recommendations for refinement or revision.
 - Secure formal approval from the village government to proceed with SKT issuance based on the results of the SOP trial, paving the way for a computerized SKT issuance system.
 - Development of a Computerized SKT Issuance System at the Village Level
Design a system tailored to the village's technical capacity and operational needs. The system should include key features such as applicant data input, land ownership history tracking, location mapping, SKT issuance, process

tracking, and a role-based user authorization system (village administrator, operator, sub-district supervisor, etc.).

- Develop a lightweight desktop application with a simple, user-friendly interface suitable for environments with limited internet connectivity. The application should support local and/or cloud-based data storage, automatic backups, data export functions, and protection against data manipulation.
- Produce user manuals and technical SOPs to guide the operation and management of the computerized SKT issuance system.
- Deliver technical training for village officials (up to 14 events) on system usage, including SKT issuance simulations and instruction on maintenance and technical support during the initial implementation phase.
- Conduct field trials in selected villages, gather user feedback, identify and fix bugs, and refine the system based on field findings.
- Prepare a system evaluation report assessing effectiveness, efficiency, technical issues encountered, and potential for further development and replication in other villages

Throughout the execution of all components of this work, the contractor will organize and facilitate up to 24 inclusive and participatory consultative meetings (e.g., FGDs) at the village and sub-district government levels, including training events and field trials.

The FGD planning design can be as follows:

No	FGD Topic	Bengalon		Rantau Pulung		Note
		Village A	Village B	Village A	Village B	
1	FGD Planning and Request for FPIC Approval for the implementation of activities	1		1		Subdistrict Level
2	FGD on SOP trial plan and determination of key actors (team formation)	1	1	1	1	Village Level
3	SOP Field Test	1	1	1	1	Village Level
4	FGD on digital village system formulation	1	1	1	1	Village Level
5	Training Digital System	1	1	1	1	Village Level
6	Surat Keterangan Riwayat Penguasaan Tanah (SKT) digital System Test	1	1	1	1	Village Level
7	Digital submission of SKT system	1		1		Subdistrict Level
	Total Event FGD	12		12		24

Period of assignment: from **11 July 2025** to **20 November 2025**

This work will be monitored in a series of milestone achievements as follows:

Milestones/ partial	Date /location /responsibility	Criteria for acceptance
Work planning and Methodology: <ul style="list-style-type: none"> • Development and approval of a detailed plan for implementing the Free, Prior, and Informed Consent (FPIC) process, tailored to the local social and institutional context. • Preparation of a structured workplan for piloting the Standard Operating 	1 week after contract signed	Accept by GIZ Work planning, detailed of FGD schedule and Methodology also included the summary

Milestones/ partial	Date /location /responsibility	Criteria for acceptance
<p>Procedures (SOP) for SKT issuance at the village level, including timeline, resources, and stakeholder roles.</p> <ul style="list-style-type: none"> Formulation of a digital system design and implementation plan for the issuance of SKT, aligned with the technical capacity and needs of target villages. 		
<p>Implementation of the FPIC Mechanism in the Pilot of the SKT Issuance System has been conducted</p> <ul style="list-style-type: none"> The implementation activities for the development and pilot testing of Surat Keterangan Riwayat Penguasaan Tanah (SKT) issuance, in accordance with the Standard Operating Procedures (SOP), were approved by key stakeholders through the Free, Prior, and Informed Consent (FPIC) process in at least two villages in Bengalon District and two villages in Rantau Pulung District. A village task force was established in two selected villages in Bengalon District and two selected villages in Rantau Pulung District. 	5 weeks after contracted sigend	<ul style="list-style-type: none"> MoM or note of deliberation on FPIC signed by Village Gov Representatives and knowledge by Sub-District (Kecamatan) The SKT issuance officer is approved by the village government through a focused discussion MoM. The report on the implementation of FPIC and task force establish is accepted by GIZ
<p>Facilitation and Evaluation of the SKT SOP Pilot at the Village Level has been conducted</p> <ul style="list-style-type: none"> Implementation of trial the SOP for issuing SKT was carried out in 2 villages in Bengalon District and 2 villages in Rantau Pulung District. The basic design formula for developing a computer system for issuing SKT is based on improvements to SOPs and trials. 	10 weeks after contracted signed	<ul style="list-style-type: none"> Report on Trial and input notes for SOP improvement have been submitted to GIZ and approved by the village government through MoM and Note of deliberation. The results of the computerized system formulation for SKT issuance services are approved by the village government and acknowledged by the sub-district as called the comprehensive report on the pilot outcomes
<p>Digital System of SKT</p> <ul style="list-style-type: none"> Digital System Design for SKT issuance has been built Officers who have been approved by the village to handle the issuance of SKT have been trained to run the digital SKT issuance system and have been able to issue it through trial methods. The Digital System has been handed over to the village government 	16 weeks after contracted signed	<ul style="list-style-type: none"> The digital system installation file for issuing SKT was sent and approved by GIZ The training was conducted and proven by the existence of a training implementation report including schedule, materials, curriculum and documentation. All of them were received by GIZ Minutes and digital systems have been installed in the Village Government

The assignment project will be output-based in its monitoring and payment. The assignment will be determined by the deliverables that are produced. The consultant will be paid based on the completion of specific tasks or the achievement of certain deliberations below:

Estimated payment	Output Based	Type of Deliberations	Expected Delivery Report	Progress Achievement
Interim payment after approved of Output 1	1	Workplan and Methodology on Development and approval of a detailed FPIC implementation plan, pilot workplan for village-level Surat Keterangan Riwayat Penguasaan Tanah (SKT) SOP, and digital system design and implementation plan aligned with local context and technical needs.	18 July 2025	40%
Final payment after approved of Output 2 & 3	2	Implementation of the FPIC mechanism and pilot testing of the SKT issuance system, including the formation of village task forces and SOP trials, were conducted in two villages each in Bengalon and Rantau Pulung Districts, with system design improvements based on evaluation results.	19 Sept 2025	60%
	3	The digital system for SKT issuance has been developed, tested through trained village-appointed officers, and officially handed over to the village government.	31 Oct 2025	

II. Tender requirements

1. Qualifications of proposed staff

The tenderer is required to propose personnel for the positions specified here and described with respect to the areas of responsibility and qualifications on the basis of relevant CVs.

The below specified qualifications represent the requirements to reach the maximum number of points in the technical assessment.

1.1 Expert 1: Team Leader – Agrarian Expert

1.1.1 General qualifications

Education : university degree (Bachelor) in agrarian law, forestry, agriculture

Professional experience : 5 years of professional experience in legal basis governing land rights, land certification processes, and land conflict resolution mechanisms

1.1.2 Experience in the region/knowledge of the country

3 years of experience in projects in East Kalimantan and East Kutai

1.1.3 Language skills:

professional business language proficiency in English and Bahasa Indonesia

1.2 Expert 2: Village Facilitator (2 Persons)

1.2.1 General qualifications

Education : university degree (Bachelor) in Social Sciences or Humanities, such as: sociology, law, government, public administration, forestry and community empowerment

Professional experience : 2 years of professional experience in facilitating the implementation of community empowerment and mentoring projects

1.2.2 Experience in the region/knowledge of the country

2 years of experience in projects in East Kalimantan and East Kutai

1.2.3 Language skills:

Professional business language fluency in Bahasa Indonesia

1.3 Expert 3: System Application Expert (2 Persons)

1.3.1 General qualifications

Education : university degree (Bachelor) in Bachelor's degree in Information Technology, such as: Information Engineering, Information Systems, Computer Science, Software Engineering

Professional experience : 2 years of professional experience in building digital dashboard for registration services at the village level

1.3.2 Experience in the region/knowledge of the country

2 years of experience in projects in East Kalimantan and East Kutai

1.3.3 Language skills:

Professional business language fluency in Bahasa Indonesia

2. Quantitative requirements

Per-diem allowances are reimbursed as a lump sum up to the maximum amounts permissible under tax.

Overnight accommodation allowances are reimbursed as set out in the specification of inputs below.

Reasonable accommodation costs above the specified amounts can also be reimbursed against evidence where specifically justified.

All travel activities must be agreed in advance with the staff member responsible for the project.

Sustainability aspects for travel

GIZ is required to reduce greenhouse gas emissions (CO₂ emissions) caused by travel. When preparing your tender, please incorporate options for reducing emissions, such as selecting the lowest-emission booking class (economy) and using means of transport, airlines and flight routes with a higher CO₂ efficiency. For short distances, travel by train (second class) or e-mobility should be the preferred option.

CO₂ emissions caused by air travel must be offset. GIZ specifies a budget for this, through which the carbon offsets are settled against evidence.

The market for carbon credits is made up of a large number of providers, each with different claims as to their climate impact. The [Development and Climate Alliance](#) has published a [list of standards](#). GIZ recommends using the standards specified there.

Specification of Inputs

Fee days	Number of experts	Number of days per expert	Comments
Expert 1: Team Leader – Agrarian Expert	1	60	Output Based
Expert 2: Village Facilitators	2	40	Output Based
Expert 3: System Application Experts	2	30	Output Based
Travel expenses	Number of experts	Number of days/nights per experts	Comments
Per-diem allowance in country of assignment for			Per diem in Sangatta, Bangalon and Rantau Pulung
• Expert 1			
- travel days	1	8	
- in Sangatta, Bangalon, Rantau Pulung	1	46	For Expert 1 (Team Leader)
• Expert 2 (2 person)			
- travel days	2	4	
- in Sangatta, Bangalon, Rantau Pulung	2	33	For Expert 2 (Village Facilitators, 2 persons)
• Expert 3 (2 person)			
- travel days	2	4	

- in Sangatta, Bengalon, Rantau Pulung	2	13	For Expert 3 (System Application Expert, 2 person) Lumpsum (Output Based)
Overnight allowance in country of assignment for • Expert 1 • Expert 2 (2 person) • Expert 3 (2 person)	1 2 2	55 37 17	Overnight allowance in Sangatta, Bengalon and Rantau Pulung. For Expert 1 (Team Leader) For Expert 2 (Village Facilitators, 2 persons) For Expert 3 (Village Facilitators, 2 persons) Lumpsum (Output Based)
Travel costs (train, private vehicle) • Car Rental (airports Samarinda to Bengalon and Rantau Pulung), round trip • Car rental within Sangatta & villages, months	4 4	1 unit 1 unit	1 unit Car Rental Airport Samarinda to Bengalon and Rantau Pulung ; 4 round trip 1 unit Car Rental within Sangatta & villages ; 4 months Lumpsum (Output Based)
Flights	Number of experts	Number of flights per experts	Comments
• Domestic flights - Expert 1 - Expert 2 - Expert 3	1 2 2	4 4 2	Economy flight to East Kalimantan (Samarinda/ Balikpapan) For Expert 1 (Team Leader), 4 return flight (8 ways) For Expert 2 (Village Facilitators, 2 person), 4 return flight/person (16 ways) For Expert 3 (System Application Expert, 2 person), 2 return flight/person (8 ways) Lumpsum (Output Based)
• CO ₂ compensation for air travel Guidance for GIZ service providers on avoiding, reducing and offsetting GHG emissions (giz.de)	5	-	A fixed budget of IDR4.733.545,00 is earmarked for settling carbon offsets against evidence . For Expert 1, Expert 2 (2 Persons), Expert 3 (2 persons) Total 16 return flight for 5 experts.

			Based on calculation from https://www.atmosfair.de
Other costs	Quantity	Unit	Comments
Workshops			The budget contains the following costs:
• Focus Group Discussion (FGD) in Rantau Pulung (Meeting Consumption)	15	5	Meeting Consumption FGD in Rantau Pulung 5 x FGD for 15 participants;
• Focus Group Discussion (FGD) in Bengalon (Meeting Consumption)	15	5	Meeting Consumption FGD in Bengalon 5 x FGD for 15 participants;
• Focus Group Discussion (FGD) Surat Keterangan Riwayat Penguasaan Tanah (SKT) digital publishing system in Rantau Pulung (Meeting Consumption)	15	5	Meeting Consumption FGD SKT digital in Rantau Pulung 5 x FGD for 15 participants;
• Training SKT digital publishing system in Rantau Pulung (Meeting Consumption)	15	2	Meeting Consumption Training SKT digital in Rantau Pulung 2 x Training for 15 participants;
• Focus Group Discussion (FGD) SKT digital publishing system in Bengalon (Meeting Consumption)	15	5	Meeting Consumption FGD SKT digital in Bengalon 5 x FGD for 15 participants;
• Training SKT digital publishing system in Bengalon (Meeting Consumption)	15	2	Meeting Consumption Training SKT digital in Bengalon 2 x Training for 15 participants;
• Printing SOP and digital system Modul	8	1	Printing SOP & Digital System Modul 8 x printing
			Lumpsum (Output based)

Calculate your financial bid exactly in line with the quantitative requirements of the specification of inputs above. There is no contractual right to use up the full days/travel or workshops or budgets. The number of days/travel/workshops and the budgets will be contractually agreed as **maximum amounts**. The regulations on pricing are contained in the price schedule.

Since the contract to be concluded is a contract for works, you should offer your services at a fixed lump sum price, which provides **an itemised breakdown of all the relevant costs (fees, travel costs, etc.)**. **The specification of inputs should provide guidance in this respect.** The assessment of the financial bid is based on the lump sum price tendered, which must be realistic for the services to be rendered. In the contract itself, the budgets will be contractually agreed as **maximum amounts**.

3. Conceptual

The tender should indicate how the services outlined in Section I.4 (Tasks) are to be provided. Reference should be made to the following criteria:

3.1 Relevance of Approach and Methodology

This criterion assesses how well the proposed approach, strategy, and methodology:

- Align with the social, cultural, and institutional context of the village.
- Directly respond to the tasks described, including FPIC, SOP pilot testing, and the development of a computerized Surat Keterangan Riwayat Penguasaan Tanah (SKT) issuance system.
- Effectively incorporate community participation and village-level governance mechanisms.

3.2 Technical Capacity and Experience

This criterion evaluates the service provider's track record and expertise in:

- Implementing similar projects (e.g., village governance, development of village-level applications, land legalization).
- Assembling a multidisciplinary team capable of managing legal, technical (IT), and community participation aspects.
- Providing evidence of past work (e.g., portfolios, case studies, user testimonials).

3.3 Innovation and Sustainability of the Solution

This criterion considers the degree to which the proposed concept:

- Demonstrates innovative approaches for transparent and efficient SKT issuance.
- Includes mechanisms for sustainability (e.g., systems that can be independently maintained and operated by village actors).
- Offers scalable or replicable solutions for other villages in the SUSTAIN KUTIM program area.

III. Requirements on the format of the tender

The CV submitted for each expert can have a maximum of four pages. The concept (if required) should not exceed five pages. If one of the maximum page lengths is exceeded, the content appearing after the cut-off point will not be included in the assessment.

External content (e.g. links to websites) will also not be considered).
the optional services.

Annexes

- Laporan Studi Kebijakan dan Teknis Proses Sejarah Penguasaan Atas Tanah Di Kabupaten Kutai Timur