

TERMS OF REFERENCE

Engagement of Consultant to Draft the Strategy and Action Plan for the Kosovo Property Comparison and Verification Agency (KPCVA)

Ref.No.: XK-KCA-543473-CS-CQS

1. Background

The Kosovo Property Comparison and Verification Agency (KPCVA) is an independent institution established pursuant to Article 142 of the Constitution of the Republic of Kosovo. The Agency operates on the basis of Law No. 05/L-010 on the Kosovo Property Comparison and Verification Agency, as amended and supplemented by Law No. 08/L-052. In addition to its primary mandate defined by the above-mentioned legislation, the KPCVA has inherited certain responsibilities from its predecessor institutions, including the former Housing and Property Directorate (HPD) and the Kosovo Property Agency (KPA). The aim of this KPCVA Law is the comparison, verification, and resolution of discrepancies between the original pre June 1999 cadastral records removed from Kosovo by Serbian authorities and the present day cadastral records in the Republic of Kosovo with respect to private property, private commercial property and property of religious communities; resolution of remaining claims with respect to private immovable property, including agricultural and private commercial property; as well as recognition and formalization of uncontested and legitimate property rights conveyed informally between parties prior to 24 March 1999 and currently exercised under Kosovo laws. The mandate of the KPCVA, as defined in its basic law No. 05/L-010, also derives from the Brussels Agreement between the Republic of Kosovo and the Republic of Serbia concerning cadastral records, which established mechanisms for addressing discrepancies between cadastral documentation and ensuring legal certainty regarding property rights in Kosovo.

Through the implementation of its mandate, the KPCVA contributes to strengthening legal certainty, protecting property rights, resolving legacy property claims, and supporting the rule of law and institutional stability in the Republic of Kosovo.

To address these challenges and ensure that KPCVA becomes a more efficient and sustainable institution, the decision has been made to develop a comprehensive Strategy and Action Plan for the next five years. This strategy will include clear goals, measurable objectives, and a detailed implementation plan.

2. Purpose of Engagement

The primary purpose of this engagement is to develop a comprehensive Strategy and Action Plan for KPCVA, which will include:

- **Detailed Situation Analysis:** A comprehensive analysis of the current state of the **Kosovo Property Comparison and Verification Agency (KPCVA)** shall be conducted, including the identification of institutional, operational, and legal challenges, as well as potential opportunities for improvement. This analysis shall encompass a detailed review of the **existing legal framework governing the Agency, in particular the Law on KPCVA**, in order to assess its adequacy, effectiveness, and possible areas for amendment or improvement. Furthermore, the assessment shall examine the broader **property-related issues and challenges present in Kosovo**, including the types of property disputes and cases currently addressed within the Agency's mandate.
- **Strategic Plan:** The preparation of a strategic plan including clear objectives for the next five-year period.

- **Action Plan:** A detailed Action Plan and supporting budget for implementing the strategy, including specific activities, timelines, required resources, and performance indicators.

All reports will be submitted in Albanian and English language

3. Scope of Work

The consultant will be responsible for performing the following tasks:

3.1. Situation Analysis

1. **Review of Existing Documents:** Analyze all relevant documents, including existing laws, regulations, policies, and strategies of KPCVA and other relevant institutions.
2. **Capacity Analysis:** Assess the current capacities of KPCVA, including human, technological, and financial resources.
3. **Identification of Challenges and Opportunities:** Identify the key challenges preventing the fulfillment of KPCVA's mission and potential opportunities for improvement.

3.2. Consultations with Stakeholders

1. **Drafting the Consultation Plan:** Prepare a comprehensive plan for extensive consultations with stakeholders, including government officials, civil society representatives, property rights experts, and members of affected communities.
2. **Conducting Interviews and Workshops:** Conduct interviews and organize five (5) workshops in order to gather opinions, insights, and suggestions from relevant stakeholders. Each workshop shall include no fewer than ten (10) participants, while the final number and composition of participants shall be determined in consultation with the KPCVA. The consultant shall bear full financial and logistical responsibility for the organization and implementation of the workshops, including all associated costs related to venue, materials, and other necessary arrangements.

3.3. Strategy Development

1. **Drafting the Vision and Mission:** Formulate a clear vision and mission for KPCVA to guide the agency's strategic direction in the coming years.
2. **Definition of Strategic Goals:** Identify and describe the strategic goals that KPCVA must achieve to fulfill its vision.
3. **Drafting the Strategic Plan; setting out clearly the strategic goals of the organization for the next five years**
4. **Draft the Action Plan:** Prepare a detailed action plan that includes specific activities, assigned responsibilities, timelines, and necessary resources for implementing the strategy.
5. **The Action plan should be fully costed,** including investment and recurrent costs estimates for each of the five years of the Strategic plan

3.4. Validation and Finalization

1. **Validation Workshop:** Organize and facilitate workshops to present and discuss the draft strategy and action plan with stakeholders.
2. **Document Improvement:** Review and refine the documents based on feedback and suggestions received during the workshops.
3. **Submission of Final Documents:** Submit the finalized strategy and action plan to KPCVA.

4. Deliverables, Budgeted Milestones and Payment Schedule

Payments shall be made upon written acceptance of each deliverable by KPCVA.

The following table establishes the contractual milestones and corresponding percentage of the total contract amount.

4.1 Budgeted Milestones Table

Milestones	Deliverable	Description of Output	Timing	Payment (%)
Milestone 1	Inception Report	Detailed methodology, refined work plan, consultation plan, stakeholder mapping, risk assessment	Month 1	15%
Milestone 2	Situation & Institutional Assessment Report	Institutional, legal, operational and financial analysis; consultation findings	Month 3	25%
Milestone 3	Draft Five-Year Strategy	Vision, mission, strategic objectives, results framework, risk analysis	Month 4	20%
Milestone 4	Draft Five-Year Action Plan & Cost Framework	Annual activity plan, KPIs, five-year costing, monitoring framework	Month 5	20%
Milestone 5	Final Strategy & Action Plan	Final consolidated Strategy and Costed Action Plan incorporating feedback; executive summary and presentation	Month 6	20%

4.2 Payment Conditions

1. Payments shall be made upon formal written acceptance of each deliverable by KPCVA.
2. Draft deliverables shall be submitted in electronic editable format.
3. KPCVA shall provide consolidated comments within ten (10) working days.
4. The Consultant shall address comments and resubmit within ten (10) working days.
5. Payment shall be processed only after acceptance of the revised deliverable.

5. Duration of Engagement

This engagement is expected to be: from the date of contract signature until 30 November 2026. The consultants must plan their time effectively to fulfill all obligations within this timeframe.

6. Risks and Constraints

The Consultancy expert will seek advice from the KPCVA on any potential issues during the implementation of this activity. If an unplanned event takes place beyond the control of the KPCVA, the activity manager will address the issue with Management of KPCVA.

7. Liaison Arrangements/ KPCVA Data, Services, Personnel or Facilities to be provided

Throughout the process, the consultants should liaise with the project manager and management of KPCVA for the successful completion of the project activities.

The communication between the KPCVA and the Consultants will be in the English language.

The Consultants will use their own office equipment, and other facilities to undertake the work. Aside from providing office space, KPCVA will provide the Consultants will provide data, information and access to agency's stakeholders, and help obtain appointments with stakeholders and advice as requested

8. Qualifications and Experience Required

8.1 The Consultant Experience

The Consultant shall demonstrate the following:

- A minimum of five (5) years of professional experience in geomatics, cadastre, and the registration of immovable property rights;
- A minimum of five (5) years of professional experience in the drafting, implementation, and monitoring of legal and regulatory frameworks related to cadastre and immovable property rights; and
- Experience in similar assignments would be preferable.

8.2 Availability of the Key Personnel

The consultants shall propose:

Team Leader / Strategy / Cadastre specialist

- **Educational Background:** Master of Science in Management, MBA, Geodesy/Geomatics, or a related field.
- **Professional Competencies:** Demonstrated competencies and experience in geomatics, cadaster, and the registration of immovable property rights.
- **Business Plan Experience:** Experience in drafting business plans for public sector organisations, including financial analysis and budgeting.
- **Quality Management Expertise:** Professional competence in Total Quality Management.
- **Communication and Organizational Skills:** Strong communication and organizational skills for effective teamwork.
- **Language Proficiency:** Knowledge of Albanian and English languages.
 - Serbian language would be an asset.

Legal specialist

- **Educational Background:** Qualified legal specialist with at least post graduate qualifications
- **Legal Infrastructure Experience:** Participation in the legal drafting, implementation, and monitoring of legal infrastructure, related to cadastre and property rights
- **Business Plan Experience:** Experience in drafting business plans related to property rights is desirable.
- **Communication and Organizational Skills:** Strong communication and organizational skills for effective teamwork.
- **Language Proficiency:** Knowledge of Albanian, and English languages. Serbian language would be an asset.

9. Reporting Structures

The consultant will report to the Director of KPCVA. Regular (weekly) reports on progress and any issues requiring attention will be submitted throughout the engagement period, and includes the reports as set out in section 4.

10. Selection Process

Consultants will be selected in accordance with the World Bank's Procurement Regulations for Investment Project Financing (IPF) Borrowers (July 2016, revised November 2017, August 2018, and November 2020), using Consultant Qualification Selection (CQS) method.

The consultants will be selected based on:

- General Qualifications (20%)
- Relevant work experience in the domains of Strategy development (35%)
- Methodology and initial work plan (35%)
- Training experience in the domain of property rights (10%)