

**The Federal Republic of Nigeria**  
**Support to the Home Finance Department in The Federal Ministry of Finance**

**TERMS OF REFERENCE FOR ENGAGEMENT OF A FIRM AS INDEPENDENT VERIFICATION  
AGENT OF THE STATE ACTION ON BUSINESS ENABLING REFORMS (SABER) PROGRAM**

***I. SABER Background***

Given the urgency of reforms to improve the business enabling environment, the government developed a new program in 2022—the State Action on Business Enabling Reforms (SABER) (“*The Program*”)—to accelerate the implementation of critical actions that improve the business enabling environment in Nigeria’s states and the Federal Capital Territory (FCT). The Government’s SABER program builds on the successes of the Presidential Enabling Business Environment Council (PEBEC), as well as the State Fiscal Transparency, Accountability and Sustainability (SFTAS) Program. It prioritizes critical measures and interventions, with a focus on accelerating targeted business-enabling environment reform actions at the state level. It aims to strengthen the existing PEBEC-National Economic Council (NEC) subnational interventions by adding incentives, namely results-based financing to the states, and the delivery of wholesale technical assistance—available to all states—to support gaps in reform implementation.

The SABER Program aims to support all 36 states (and the FCT) to implement the most critical state-level business enabling reforms, which in turn is anchored in the National Development Plan (NDP) 2021-2025’s Business Environment, Trade and Competitiveness Pillar, which is implemented through PEBEC’s federal and PEBEC-NEC’s state initiatives. PEBEC’s mandate was articulated in the Economic Recovery and Growth Plan (ERGP) 2017-2020 and subsequently retained in the NDP 2021-2025. The SABER Operation consists of a USD730 million Program-for-Results (the Program) and a USD20 million Investment Project Financing (IPF) component (the Project). The Program Development Objectives (PDO) is to improve (1) the efficiency of land administration, (2) the regulatory framework for private investment in fiber optic infrastructure, (3) services provided by investment promotion agencies and public-private partnership units, and (4) the efficiency and transparency of government-to-business services in participating states.<sup>1</sup> The Program is a subset of the Government’s program to improve the business enabling environment at the state level. The duration of the Program-for-Results (PforR) is 3 years, from 2023 to 2025.

States must achieve the annual eligibility criteria as a prerequisite for being part of the Program’s results-based financing. A number of Technical Assistance (TA) providers have supported states’ readiness at achieving the DLIs and the EC. The TA took the form of training sessions, workshops, sharing of templates, and customized reviews and feedback on states’ initial outputs.

**Program Coordination:** The Home Finance Department (HFD) in the Federal Ministry of Finance, Budget and National Planning (FMFBNP) houses the Program Coordination Unit (PCU), with the Director of HFD as the National Program Coordinator. Among the PCU’s core functions,

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<sup>1</sup> Participating State’ means a State which, having met the Eligibility Criteria for any given Fiscal Year, as agreed by the Recipient and the Bank, is participating in the Program during such Fiscal Year. ‘State’ means each of the 36 states and the Federal Capital Territory (FCT).

the PCU is responsible for all procurement under SABER, including the hiring of an Independent Verification Agent to assess the States' performance regarding the SABER ECs and DLIs.

The Independent Verification Agent will be selected in accordance with the procedures set out in the World Bank 'Procurement Regulations for IPF Borrowers' (Procurement Regulations) dated November 2020, available at the World Bank website: <https://thedocs.worldbank.org/en/doc/178331533065871195-0290022020/original/ProcurementRegulations.pdf>.

**Table 1:** SABER Disbursement Linked Indicators and Eligibility Criteria (See Annex 1 for DLI Matrix and SABER Verification Protocol)

<p><b>Eligibility Criteria</b></p> <ul style="list-style-type: none"><li>• <b>Improved planning and accountability of business enabling reforms</b><ul style="list-style-type: none"><li>○ Annual State Business Enabling Reforms Action Plan (BERAP) prepared with private sector participation (with records), approved by the State Executive Council and published online. (For the 2023 report, private sector participation not required) by <b>31<sup>st</sup> January</b>.</li><li>○ Previous year's progress report submitted to the State Executive Council and published online by <b>31<sup>st</sup> December</b>.</li></ul></li><li>• <b>Continuation of selected criteria from the States Fiscal Transparency, Accountability and Sustainability (SFTAS)</b><ul style="list-style-type: none"><li>○ Annual State budget, prepared under national Chart of Accounts, approved by the State Assembly and published online by end January the next year.</li><li>○ Annual audited financial statement, prepared in accordance with IPSAS, submitted to the State Assembly and published by July the next year.</li><li>○ Annual State Debt Sustainability Analysis and Debt Management Strategy Report (SDSA-DMSR) published end-December as per the criteria set in the verification protocol.</li></ul></li></ul> <p><b>Results Area 1: Improved Land Administration and Land-based Investment Process</b></p> <ul style="list-style-type: none"><li>• <b>DLI 1:</b> Improved efficiency in property registration and sustainability of the land-based investment</li></ul> <p><b>Results Area 2: Improved regulatory framework for private investment in fiber optic infrastructure</b></p> <ul style="list-style-type: none"><li>• <b>DLI 2:</b> Improved regulatory framework for private investment in fiber optic infrastructure.</li><li>•</li></ul> <p><b>Results Area 3: Improved services provided by investment promotion agencies (IPA)s and public-private partnership (PPP) units.</b></p> <ul style="list-style-type: none"><li>• <b>DLI 3:</b> Development of an effective PPP framework</li><li>• <b>DLI 4:</b> Improved investment promotion environment</li></ul> <p><b>Results Area 4: Improved efficiency and transparency of government-to-business services.</b></p>
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- **DLI 5:** Increased transparency of official fees and procedures
- **DLI 6:** Increased transparency of fees and levies for inter-state trade and increased exporter certification.
- **DLI 7:** Simplified state and local business tax regimes
- **DLI 8:** Quick determination of commercial disputes

The **SABER Verification Protocol** (Annex 1) provides procedures for the IVA to assess the achievement of states for each year of implementation, and may be subject to periodic updates.

## **2. The Proposed Assignment**

States' (and FCT) compliance with the SABER annual Eligibility Criteria (EC) and achievement of the SABER 2023 - 2025 DLRs are to be verified through Annual Performance Assessments (APAs) covering the DLRs of the eight (8) DLIs, and the assessments of performance against the annual Eligibility Criteria. For each performance year, achieving all EC is a prerequisite for participation in the Program that year; while the number of verified DLRs achieved per state determines the performance-based financing disbursement.

Given the importance of this exercise, a credible and objective verification process, which is the basis for performance-based financing disbursements to the States, shall be put in place. The objective of this TOR is to engage an Independent Verification Agent (IVA) to assess and verify the achievement of results as laid out in the DLI matrix (and Verification Protocol) in a manner and substance that conforms with guidelines, procedures and proper documentation. Results will be verified through desk reviews and physical inspection to confirm authenticity.

The IVA to be engaged will conduct three (3) Annual Performance Assessments (APA) to be held once every year over the 3-year period. For some of the Eligibility Criteria, which have deadlines mid-year, the assessment should be conducted closer to the completion date; however, the bulk of the verification is at the beginning of the fiscal year (January-March).

The IVA reports will be subjected to a technical review by the Program Coordinating Unit (in collaboration with the World Bank (WB)). The review could include calls for IVA reassessments.

### ***Summary of the Annual Performance Assessment (APA) process.***

1. The IVA will establish a Program verification plan extending to the end of the Program in 2025, thus including a last verification period in January-March 2026. This will include a workplan for carrying out the APAs and assessment of the EC. It will be submitted to the PCU for clearance. The workplan will subsequently require periodic updates to reflect emerging circumstances and events.
2. The IVA will collect the state performance data necessary to carry out the assessments for the 2023, 2024 and 2025 APA and for the assessments of all the annual ECs.
3. The IVA will draft test programs, checklists and reporting templates for the PCU/WB review and approval. These will be regularly updated for each round of APA.

4. The IVA will verify all evidence of States achieving the DLRs in accordance with the approved DLR Verification Protocol; this would entail central desk review and some physical verification at the state-level.
5. The IVA will formally submit to the PCU and the Bank the draft and final Verification reports for each state.

### ***The SABER Verification Protocols and Program Verification Plan.***

1. **Verification Protocols:** The work of the IVA in assessing the performance of the States in achieving the SABER DLRs is guided by a set of protocols which are documented in a Verification Protocols document. The Verification Protocols is attached as Annex 1. It is important for the IVA to understand the detailed requirements of the protocols and demonstrate this understanding in their technical proposals, as well as in the course of the assignment. The PCU takes the lead in the update of the protocols and will consult with all implementing agencies and delivery partners including the IVA on an ongoing basis to ensure appropriate enhancements are made to the protocols (subject to approval by the World Bank), as necessary.

2. **Program Verification Plan:** The IVA in collaboration with PCU will develop a Program Verification Plan and update same on an ongoing basis. The plan will set out in summary and in detail the proposed timelines and activities to verify performance across all States for all the DLRs, as well as the responsible parties (including the PCU, the IVA, PEBEC DMO and the World Bank) involved in the execution of various tasks within the plan.

### ***Scope of Services and Key Tasks (Components)***

The Federal Ministry of Finance, Budget and National Planning seeks the services of an audit and/or consulting firm to undertake the following specific tasks under the proposed assignment:

A. Preparation and implementation of the 2023, 2024 and 2025 APAs and assessments of the ECs, including conducting desk-based reviews, field visits to States and the overall preparation and implementation of the assessment (project management tasks). The APAs and assessments will cover all 36 States and FCT and verify their achievement of the Program's Eligibility Criteria (EC) and disbursement-linked results (DLRs) against the approved Verification Protocols and test programs, in line with the Program Verification Plan.

B. Provide the requisite technical expertise for assessing the EC and DLRs, including on business enabling reforms, Land Administration and Land-based Investment, frameworks for private investment in fiber optic infrastructure and services provided by investment promotion agencies (IPA)s and public-private partnership (PPP) units. The technical expertise is to support the firm's own assessment of the results.

## ***1. Expected Deliverables and Reporting Requirements***

The assignment is expected to start in Q4 of 2023 with a focus on the in-depth planning and organizing of the 2023 APA covering DLRs achieved in the 2023 fiscal year as well as the assessment of Eligibility Criteria (with deadlines December 2022 to July 2023).

During the assignment, the selected firm is expected to deliver the following for the 2023 - 2025 APAs and assessments of the 2023 - 2015 ECs for the 36 States and FCT in line with the timelines set out in the Program Verification Plan. Note: While the program is open to all States (and FCT), not all states are expected to participate in the Program, and even if states participate, they are not expected to plan to achieve all DLIs/DLRs for each year. The level of effort for the firm is thus less than 37 for each year. Indicative participation of states will be reviewed on an annual basis, and current expectations are recorded in the DLI Matrix (Annex 1).

### **Deliverable 1**

- (a) An Inception report, Program Verification Plan and detailed work plan for the conduct of the assignment across all the outlined tasks and deliverables consistent with the ToR for the assignment (*within 2 weeks of contract signing*).
- (b) For the Prior Result DLIs: A comparative report for all 36 States highlighting the results achieved in the SABER Prior Results, the conclusions reached on each of the tests/checks and DLRs recorded within the APA reports, any areas of focus and risk for the 2023 APA. (*Copies of all prior result reports will be provided by the IVA. The comparative report should be submitted within 4 weeks of contract signing. A draft template for the comparative report should be shared with the PCU and the Bank for comments by the second week of contract signing*).
- (c) A one-day kick-off workshop on the APA process, to brief all internal and external stakeholders (*within 4 weeks of contract signing*). A report on the workshop should be prepared and submitted.

### **Deliverable 2**

**2023 APA (desk-based with field work – for the 2023 DLRs 1 to 8) and the 2023 Eligibility Criteria assessment (desk-based)** - to be conducted in CY2024 (mostly in January-March).

- (a) A joint detailed work plan specifically for the 2023 APA that will be submitted in collaboration with the IVA to the PCU which should be consistent with the Program Verification Plan.
- (b) Development and/or review of drafts of Test Programs and Reporting Templates that are to be cleared by the PCU and Bank.
- (c) Monthly progress reports to the PCU and the Bank on the implementation of the detailed work plan, starting from the end of the inception phase and up to the submission and acceptance of the final compendium report on the APAs to the PCU and the Bank.
- (d) **Assessment of the 2023 Eligibility Criteria:** Participation in all data collection and performance assessment activities as required to assess each State's achievement of the 2023 Eligibility Criteria. This will include the review of supporting evidence from each

assessment (each State) for completeness and accuracy, based on Test Programs and Checklists.

- (e) **Assessment of the 2023 DLRs of the DLIs 1-8:** Field visits to the States and other state data collection and performance assessment activities are required to implement the APA. This includes the review of supporting evidence from each State for completeness and accuracy, based on Test Programs and Checklists previously developed and approved by the World Bank and PCU, and to include the following:
- (f) Carrying out assessment tests and ensuring that all conclusions are well supported by the required evidence.
- (g) **Preparation of draft and final APA reports (*one for each of the 36 States*) containing the selected firm's assessment of the States' performance against the Verification Protocol.** The selected firm is to draft the Annual Performance Assessment reports of the 36 States (and FCT) based on a checklist to be previously approved by the PCU/WB. The design and content of the APA reports should be consistent with the approved Test Programs and Reporting Templates.
  - a. *Update of draft report following feedback received on each State report by the PCU/WB to the IVA (within 3 days of the submission of review).*
  - b. *Final review to ensure all review comments, gaps and omissions have been addressed before this is returned.*

*(Note: Depending on the quality of submissions made and resolution of pending issues, the PCU/WB might require the IVA to review and update the reports as many times as necessary).*

*This includes final Files of all the source data collected for the verification stored in google cloud by State, or any other form accessible to the PCU and the Bank, as agreed with the PCU and the Bank. This also includes a summary overview table with the assessment in binary format for each of the Prior Results for all states + FCT.*

- (h) **Preparation of a compendium report on the 2023 APA:** The selected firm is to prepare a comprehensive report that includes the results achieved by all States against the Eligibility Criteria and the DLRs. The compendium report should include a comparison of the results achieved by all 36 States highlighting the results achieved in the previous APA (prior results) and in the 2023 APA, the conclusions reached on each of the tests/checks and DLRs recorded within the APA reports, any areas of focus and risk for the 2024 APA and in particular any potential gaps in the consistency of assessments. DLRs that were met in prior result Assessment but not in 2023 and DLRs that were not met in the prior result should be highlighted, along with the reasons identified for not meeting the DLRs in 2023. *(A draft template for the compendium report and comparative analysis should be shared with the PCU and the Bank for comments).*

**Deliverable 3 - 2024 APA (desk-based with field work – for the 2024 DLRs 1 to 8) and the 2024 Eligibility Criteria assessment (desk-based) - to be conducted in CY2025**

- (a) A joint detailed work plan specifically for the 2024 APA that will be submitted in collaboration with the IVA to the PCU which should be consistent with the Program Verification Plan.
- (b) Development and/or review of drafts of Test Programs and Reporting Templates that are to be cleared by the PCU and Bank.
- (c) Monthly progress reports to the PCU and the Bank on the implementation of the detailed work plan, starting from the end of the inception phase and up to the submission and acceptance of the final compendium report on the APAs to the PCU and the Bank.
- (d) **Assessment of the 2024 Eligibility Criteria:** Participation in all data collection and performance assessment activities as required to assess each State's achievement of the 2024 Eligibility Criteria. This will include the review of supporting evidence from each assessment (each State) for completeness and accuracy, based on Test Programmes and Checklists. For the 2024 APA, the assessment of achievement of the EC should be closer to the date of the deadline of the specific EC, if the deadline is not December 31 (starting the day after the deadline until one month after).
- (e) **Assessment of the 2024 DLRs of the DLIs 1-8:** Field visits to the States and other state data collection and performance assessment activities are required to implement the APA. This includes the review of supporting evidence from each State for completeness and accuracy, based on Test Programs and Checklists previously developed and approved by the World Bank and PCU, and to include the following:
  - i. *Carrying out assessment tests and ensuring that all conclusions are well supported by the required evidence. This will include the review of all submissions/information available to the IVA teams for each State, as well as information from the Debt Management Office (for EC 2) to confirm accuracy and that all the relevant information is obtained.*
- (f) **Preparation of draft and final APA reports (one for each of the 36 States) containing the selected firm's assessment of the States' performance against the Verification Protocol.** The selected firm is to draft the Annual Performance Assessment reports of the 36 States based on a checklist to be previously approved by the PCU/WB. The design and content of the APA reports should be consistent with the approved Test Programmes and Reporting Templates.
  - a. *Update of draft report following feedback received on each State report by the PCU/WB to the IVA (within 3 days of the submission of review).*
  - b. *Final review to ensure all review comments, gaps and omissions have been addressed before this is returned*

*This includes final Files of all the source data collected for the verification stored in google cloud by State, or any other form accessible to the PCU and the Bank, as agreed with the PCU and the Bank. This also includes a summary overview table with the assessment in binary format for each of the Prior Results for all states + FCT*

*(Note: Depending on the quality of submissions made and resolution of pending issues, the PCU/WB might require the IVA to review and update the reports as many times as necessary).*

- (g) **Preparation of a compendium report on the 2024 APA:** The selected firm is to prepare a comprehensive report that includes the results achieved by all States against the Eligibility Criteria and the DLRs. The compendium report should include a comparison of the results achieved by all 36 States highlighting the results achieved in the Prior Results APA, 2023 APA and in the 2024 APA, the conclusions reached on each of the tests/checks and DLRs recorded within the APA reports, any areas of focus and risk for the 2025 APA and in particular any potential gaps in the consistency of assessments. DLRs that were met in 2023 Assessment but not in 2024 and DLRs that were not met in 2023 should be highlighted, along with the reasons identified for not meeting the DLRs in 2024. *(A draft template for the compendium report and comparative analysis should be shared with the PCU and the Bank for comments).*

**Deliverable 4 - 2025 APA (desk-based with field work – for the 2025 DLRs 1 to 8) and the 2025 Eligibility Criteria assessment (desk-based) - to be conducted in CY2026**

- a. A joint detailed work plan specifically for the 2025 APA that will be submitted in collaboration with the IVA to the PCU which should be consistent with the Program Verification Plan.
- b. Development and/or review of drafts of Test Programmes and Reporting Templates that are to be cleared by the PCU and Bank.
- c. Monthly progress reports to the PCU and the Bank on the implementation of the detailed work plan, starting from the end of the inception phase and up to the submission and acceptance of the final compendium report on the APAs to the PCU and the Bank.
- d. **Assessment of the 2025 Eligibility Criteria:** Participation in all data collection and performance assessment activities as required to assess each State's achievement of the 2023 Eligibility Criteria This will include the review of the detailed working papers and supporting evidence from each assessment (each State) for completeness and accuracy, based on Test Programmes and Checklists. For the 2025 APA, the assessment of achievement of the EC should be closer to the date of the deadline of the specific EC, if the deadline is not December 31 (starting the day after the deadline until one month after).
- e. **Assessment of the 2025 DLRs of the DLIs 1-8:** Field visits to the States and other state data collection and performance assessment activities are required to implement the APA. This includes the review of the detailed working papers and supporting evidence from each State for completeness and accuracy, based on Test Programmes and Checklists previously developed and approved by the World Bank and PCU, and to include the following:
  - a. *Carrying out assessment tests and ensuring that all conclusions are well supported by the required evidence. This will include the review of all submissions/information available to the IVA teams for each State, as well as information from the Debt Management Office (for EC 2) to confirm accuracy and that all the relevant information is obtained.*
- f. **Preparation of draft and final APA reports (one for each of the 36 States) containing the selected firm's assessment of the States' performance against the Verification Protocol.** The selected firm is to draft the Annual Performance Assessment reports of the 36 States based on a checklist to be previously approved by the PCU/WB. The design and



content of the APA reports should be consistent with the approved Test Programs and Reporting Templates.

- a. *Update of draft report following feedback received on each State report by the PCU/WB to the IVA (within 3 days of the submission of review).*
- b. *Final review to ensure all review comments, gaps and omissions have been addressed before this is returned*

*This includes final Files of all the source data collected for the verification stored in google cloud by State, or any other form accessible to the PCU and the Bank, as agreed with the PCU and the Bank. This also includes a summary overview table with the assessment in binary format for each of the Prior Results for all states + FCT*

*(Note: Depending on the quality of submissions made and resolution of pending issues, the PCU/WB might require the IVA to review and update the reports as many times as necessary).*

- (h) **Preparation of a compendium report on the 2025 APA:** The selected firm is to prepare a comprehensive report that includes the results achieved by all States against the Eligibility Criteria and the DLRs. The compendium report should include a comparison of the results achieved by all 36 States highlighting the results achieved in the Prior Results APA, 2023 APA, 2024 APA and in the 2025 APA.

The selected firm will produce an all-encompassing project assessment report to thoroughly evaluate the performance and impact of the SABER program. The report will offer a comprehensive summary of each state's performance over the years. It will highlight the best-performing states based on various indices, (including disbursements, most DLIs achieved, most progressive, and consistently commendable performance). In addition, the report will also assess the success of the SABER program, evaluating its effectiveness based on key result areas, thus providing an objective review of the program's contributions to the implementation of business-enabling reforms at the subnational level. It will also provide strategic recommendations for future programs, leveraging insights from the performance of the states and emerging trends to enhance the impact of prospective initiatives. In furtherance to the report, a joint session presentation will be made to the PCU and the World Bank, serving as a platform for constructive dialogue.

*(A draft template for the compendium report and comparative analysis should be shared with the PCU and the Bank for comments).*

## **Reporting Requirements**

All draft and final reports, plans and documentation are to be submitted to the PCU via electronic and physical copies (final reports only).

## ***Qualifications of the Consulting Firm***

1. The IVA will be a top tier consulting firm, or consortium of firms, with a minimum of 10 years operational existence as an organization.
2. Minimum of two similar assignments in the last 7 years.
3. Demonstrated experience in verification/audit exercises, with both desk-and field verification methods.
4. Experience working on the business enabling environment in Nigeria, and with state-level Ministries, Departments or Agencies (MDAs). Familiarity at both the federal and state level is desirable.
5. Good knowledge of state-level public-sector policy and regulatory environment related to businesses.
6. Demonstrated experience working in a virtual work / desk research only environment.
7. Comprehensive knowledge and understanding of controls within an IT environment, including experience and competence in managing, storing, filing data electronically.
8. Persons carrying out the tasks should be fluent in English.

To perform the required verification tasks, the IVA shall be a Firm or a consortium of Firms having representative offices, at the minimum, three (3) geo-political regions of the country. In the case of a Consortium, which shall not be more than three (3) Firms, the profile of each of the Firms shall be submitted in the Proposal

### ***Team Composition & Qualification Requirements for the Key Experts<sup>2</sup>***

The firm is expected to delegate an Engagement manager/partner to provide oversight and in particular to supervise the Team Leader/Key Expert 1.

#### **Needed personnel in the team**

- **Key Expert 1 -Team Leader:** *A team leader with a minimum of a Master's degree in accounting/audit, law, economics or related field, and minimum professional qualifications and at least 15 years' experience of audit/verification and understanding of the Business Enabling Environment (BEE) gained from within or outside Nigeria. Experience with conducting verification for performance-based frameworks is a plus.*
- **Key Expert 2 -Senior Land Policy/Land Administration expert:** *A Land Policy/Land Administration expert with a minimum of a Master's degree in accounting/audit, law, economics or related field, and a minimum of 8 years' professional experience with, and demonstrated knowledge in, land administration and policy in Nigeria.*
- **Key Expert 3 – Senior Tax Policy/Tax Administration Expert:** *A Tax administration expert with a minimum of a Master's in accounting/audit, law, economics or related field, and a minimum of 8 years' professional experience with, and demonstrated knowledge in,*

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<sup>2</sup> Please note that that the listed key staff is the minimum as the firm must provide for this assignment. The firm can propose additional key staff it deems fit for proper implementation of the assignment.

*tax administration and tax policy in Nigeria. Must have proven knowledge of both Federal-level and State-level tax policies, and presumptive turnover tax regimes for small businesses.*

- **Key Expert 4 Senior Investment Policy and Promotion/Public-Private Partnership (PPP) expert:** - *An investment policy/PPP expert with minimum of a Master's in accounting/audit, law, economics or related field, and a minimum of 8 years' professional experience with, and demonstrated knowledge in, investment policy/promotion and PPPs in Nigeria. Must have proven knowledge of legal/regulatory frameworks for investment, including for PPPs.*
- **Key Expert 5 -Senior Business Enabling Environment (BEE) reform expert:** *A BEE reform expert with a university degree in accounting, law, economics or related field, and a minimum of 8 years' professional experience with, and demonstrated knowledge in, business-enabling reforms at the state-level in Nigeria. Must have proven knowledge of key legal/regulatory issues and reforms related to improving the transparency and accountability of government-to-business services, state budget preparation/finance, interstate trade, and commercial disputes.*
- **Key Expert 6 - Project Management Expert:** *A certified expert with qualifications in Project Management such as PRINCE2, PMP or another relevant PM Framework. A university degree in management or related field from a reputable university with a minimum of 8 years' experience with demonstrated knowledge of and experience and successful track record of managing similar sized projects*
- **Research/Data verification analysts:** *A minimum of 30 research/data verification analysts with a university degree in accounting, law, economics or related field, and a minimum of 2 years' professional experience with, and demonstrated knowledge in, using desk/remote verification methods in carrying out the verification of state achievements. Experience in field-verification is a plus.*

### ***Location***

The IVA team will carry out most of its assignments remotely. However, in order to facilitate the implementation of the APA/assessment process, the team from the selected firm is expected to carry out a significant part of their activities in Abuja, Nigeria. The team from the selected firm will travel to the States as necessary to perform the APAs.

### ***Reporting***

The IVA will report directly to PM PCU in the fulfilment of its responsibilities. Copies of all reports and supporting documents submitted to PCU should be made available to the World Bank Task Team.

### ***Duration of the Consultancy***

The start year of the consultancy will be 2023 and the end year will be 2026, on completion of the 2025 APA. The contract will be for 30 months.

### ***Client's Input and Counterpart Personnel***

The PCU will provide the selected firm with copies of all information submitted by the States, and other federal institutions towards the APAs/assessments as they are received as well as copies of all guidance/feedback/communication from the PCU and World Bank related to the APAs/assessments.

***Code of Conduct***

The selected firm will be guided by the IFAC Code of Ethics in the exercise of their responsibilities.

**Method of Selection**

The IVA Consulting firm will be selected using the Quality and Cost-based Selection (QCBS) method. It will be an Open National Market Approach.

## Annex 1: Program Eligibility Criteria and Disbursement-linked Indicator (DLI) Matrix

DLIs	Baseline	Prior Result (Achievable b/w June 1, 2022 and January 5, 2023)	Disbursement Linked Results (DLR)	Disbursement Linked Results (DLR)	Disbursement Linked Results (DLR)
			Result 1 (Jan-1 - Dec-31 2023)	Result 2 (Jan-1 - Dec-31 2024)	Result 3 (Jan-1 - Dec-31 2025)
<p><b>Eligibility Criteria:</b>  <b>Improved planning and accountability of business enabling reforms</b>  <b>AND</b>  <b>Continued transparency of annual State Budget and Audited Financial Statements</b>  <b>AND</b>  <b>Strengthened and transparent debt management</b></p>	<p>Currently States and FCT do not prepare Annual State Business-Enabling Reforms Action Plans.</p> <p>All 36 States published FY2022 national Chart of Accounts compliant State budgets by end January 2022.</p> <p>All 36 States published FY2020 audited financial statements, prepared in accordance with International Public Sector Accounting Standards (IPSAS) by end July 2021.</p> <p>33 States published annual state debt sustainability analysis and Medium-term debt management strategy by end December 2021.</p>	<p>Annual FY21 audited financial statement, prepared in accordance with IPSAS, submitted to the State Assembly and published by 31 October 2022.</p>	<p>Annual State Business-Enabling Reforms Action Plan for 2023 approved by the State Executive Council and published online by 31 January 2023;  AND  Annual State Business-Enabling Reforms Action Plan for 2024, prepared with, and including records of, private sector participation, approved by the State Executive Council and published online by 31 December 2023;  AND  Annual FY23 state budget, prepared under national Chart of Accounts, approved by the State Assembly and published online by 31 January 2023;  AND  Annual FY22 audited financial statement, prepared in accordance with IPSAS, submitted to the State Assembly and published by 31 July 2023;  AND  Annual State Debt Sustainability Analysis and Debt Management Strategy Report (SDSA-DMSR) published online by 31 December 2022.</p>	<p>Annual State Business-Enabling Reforms Action Plan for 2025, prepared with, and including records of, private sector participation, approved by the State Executive Council and published online by 31 December 2024;  AND  Previous year's (2023) progress report submitted to the State Executive Council and published online by 31 July 2024;  AND  Annual FY24 state budget, prepared under national Chart of Accounts, approved by the State Assembly and published online by 31 January 2024;  AND  Annual FY23 audited financial statement, prepared in accordance with IPSAS, submitted to the State Assembly and published online by 31 July 2024;  AND  Annual SDSA-DMSR published online by 31 December 2023.</p>	<p>Annual State Business-Enabling Reforms Action Plan, prepared for 2026 with, and including records of, private sector participation, approved by State Executive Council and published online by 31 December 2025;  AND  Previous year's (2024) progress report submitted to the State Executive Council and published online by 31 July 2025;  AND  Annual FY25 state budget, prepared under national Chart of Accounts, approved by the State Assembly and published online by 31 January 2025;  AND  Annual FY24 audited financial statement, prepared in accordance with IPSAS, submitted to the State Assembly and published online by 31 July 2025;  AND  Annual SDSA-DMSR published online by 31 December 2024.</p>
<p><b>DLI:</b>  <b>Improved efficiency in property registration and sustainability of the land-based investment process</b></p>	<p><b>1.1</b> As of July 2022, 4 States + FCT reported having published on their state official website information on: the process for obtaining certificates of occupancy (CofOs); and 2 states reported having published the process for obtaining construction permits. None provide the complete information required.</p>	<p><b>1.1.1</b> Published on state official website:  (i) the process for obtaining CofOs including all relevant MDAs, time frames and costs; and  (ii) the process for obtaining Construction Permits including all relevant MDAs, time frames and costs; and  (iii) number of CofOs registered (1 January 2012 – 31 December 2021); and number CofOs digitized and indexed in a digital archive registered (1 January 2012 - 31 December 2021); and number of female owned or joint/co-</p>	<p><b>1.1.2</b> Published on state official website: (i) the process for obtaining CofO including all relevant MDAs, time frames and costs; and (ii) the process for obtaining Construction Permits including all relevant MDAs, time frames and costs;  AND  <b>1.1.2</b> Terms of References (TOR) for the creation of a data centric digital archive of CofOs with a searchable index in accordance with international good standards completed.<sup>3</sup></p>	<p><b>1.1.3</b> Published on state official website: (i) the process for obtaining CofO including all relevant MDAs, time frames and costs; (ii) the process for obtaining Construction Permits including all relevant MDAs, time frames and costs;  AND  <b>1.1.3</b> Existing CofOs (registered from 1 January 2012 to December 31, 2024) digitized and indexed in a digital archive in accordance with international good standards established in the TOR meets target:  <b>Basic target:</b> 50%-70% of CofOs registered  <b>Stretch target:</b> 71%-100% of CofOs registered</p>	<p><b>1.1.4</b> Published on state official website: (i) the process for obtaining CofO including all relevant MDAs, time frames and costs; (ii) the process for obtaining Construction Permits including all relevant MDAs, time frames and costs;  AND  <b>1.1.4</b> New CofOs registered during 2025 (1 January 2025 to 31 December 2025) digitized and indexed on an ongoing basis in accordance with international good standards as established in the TOR meets target:  Target: At least 90% of new CofOs registered; AND  15% increase from 2021 to 2025 in the share of CofOs registered per year that are female owned or joint/co-owned.</p>

<sup>3</sup> The digital archive, with a view to facilitate the development of a more sophisticated GIS, should be in line with standards such as outlined in the Land Administration Domain Model. The LADM has an ISO certification. <https://www.iso.org/standard/51206.html>. The digital archive should also include and allow for a systematic monitoring of key land-related indicators, including gender disaggregated data.

DLIs	Baseline	Prior Result (Achievable b/w June 1, 2022 and January 5, 2023)	Disbursement Linked Results (DLR)		Disbursement Linked Results (DLR)
			Result 1 (Jan-1 - Dec-31 2023)	Result 2 (Jan-1 - Dec-31 2024)	Result 3 (Jan-1 - Dec-31 2025)
	1.2 One State adopted the Framework for Responsible Investment in Land-Intensive Agriculture (FRILIA).	owned CofOs registered (1 January 2021 - 31 December 2021)	1.2.1 State executive order issued on FRILIA, or equivalent, commitment and process as per verification protocols, AND, FRILIA, or equivalent, adopted through State executive order as per verification protocols ( <i>one-time payment for year in which DLR is first achieved, up to Year 2</i> )		1.2.2 FRILIA, or equivalent, under satisfactory implementation with at least 1 pilot investment materialized under FRILIA and as confirmed by a social audit.
<b>DLI2: Improved regulatory framework for private investment in fiber optic infrastructure</b>	As of July 2022, States reported that 10 States are applying aggregate per-meter fees of at most NGN145/meter for ROW and related fees. Only 1 State publishes online its ROW processes and fees, and no states publish approved ROW applications.	N/A	2.1 State amended existing legislation/regulation or passed new legislation/regulation to adopt aggregate fees charged for broadband deployment on a per linear meter basis <sup>4</sup> at a maximum of NGN145 per meter; AND Published on state official website: the process for obtaining ROW including all relevant MDAs, timeframes, and costs.	2.2 State maintained aggregate per linear meter fees for broadband deployment and online publication of ROW processes and fees; AND Published on state official website: Approved ROW-related requests by operators.	2.3 State maintained aggregate per linear meter fees for broadband deployment, online publication of ROW processes and fees, and online publication of approved ROW-related requests; AND Increase in total deployed non-Gigabit Passive Optical Network (GPON) fiber optic cable kilometers against 2022 baseline meets target: <b>Basic target:</b> 20-99% <b>Stretch target:</b> >100% <sup>5</sup>
<b>DLI3: Development of an effective PPP framework</b>	20 states including the FCT have a PPP law in place. 11 states including the FCT have a PPP FCCL framework, and other key PPP frameworks documents. While 21 states including the FCT have established PPP offices, only 11 states including the FCT have a PPP pipeline of project and have published a PPP pipeline of projects in the public domain. 8 states (noting that the FCT is excluded) have developed an independent project development fund or project facilitation fund.	N/A	3.1 State-level technical PPP coordination unit/agency mandated as the lead organization tasked with facilitation of PPPs; AND PPP pipeline adopted and disclosed by State-level PPP coordination unit/agency, of which at least 50 percent is screened for climate adaptation and mitigation evidenced by disclosure of the assessment.	3.2 State-level technical PPP coordination unit/agency maintained; AND Published on state's official website: (i) the PPP Fiscal Commitment and Contingent Liability (FCCL) Management Framework; and (ii) the PPP legal and institutional framework, including guidelines and manual; and (iii) the PPP disclosure framework; AND Web-based disclosure portal/ website publishes pipeline PPP projects.	3.3 State-level technical PPP coordination unit/agency maintained; AND State Project Facilitation Fund is established with a minimum funding of 3% of the total pipeline estimated capital investment.
<b>DLI4: Improved Investment Promotion Environment</b>	14 states have an IPA with a verified legal mandate, out of which 11 have a functional website. Of these 11 IPAs, 5 have information available on their websites about investment incentives; 3 have information available on access to credit; none have information on the number of recipients of investment incentives; 6 have a corporate plan (of which 3 with clear KPIs); 6 have an investor tracking system; 8 have an aftercare or retention program (of which 2 with clear	4.1 Published on state official website: Inventory of all investment incentives (Federal and State) available in the State, including information on (i) legal reference instrument, (ii) sectors, (iii) eligibility criteria, (iv) description of benefits, (v) duration, (vi) awarding and implementing agency, and (vii) year when the incentive was introduced.	4.2 Published on state official website: Inventory of all investment incentives (Federal and State) available in the State and the number of entities receiving State investment incentives; AND The Investment promotion agency (IPA) mandated as the lead organization promoting investment into the State; AND The IPA has updated its website with information as per the verification protocols, including on access to credit.	4.3 Published on state official website: Inventory of all investment incentives (Federal and State) available in the State and the number of entities receiving State investment incentives; AND The IPA is performing key functions as per the verification protocols; AND The IPA organized at least 2 information sessions for investors on access to credit and provided assistance to investors to link them to credit institutions, in the period 1 January 2024 till 31 December 2024.	4.4 Published on state official website: Inventory of all investment incentives (Federal and State) available in the State and the number of entities receiving State investment incentives; AND An aftercare and retention program is adopted as per the verification protocols; AND The number of announced investments proactively supported by IPA meets target: <b>Basic target:</b> 1 to 4 <b>Stretch target:</b> At least 5

<sup>4</sup> These should include all fees that are charged on a per linear basis for operators deploying broadband infrastructure, including but not necessarily limited to ROW fees, annual per-meter fees, and reinstatement fees.

<sup>5</sup> 100% derived from 300% growth needed to achieve NBP targets, which is in turn scaled down by two thirds given need for complementary federal-level reforms to unlock full potential and limited progress towards NBP targets to date.

DLIs	Baseline	Prior Result (Achievable b/w June 1, 2022 and January 5, 2023)	Disbursement Linked Results (DLR)		
			Result 1 (Jan-1 - Dec-31 2023)	Result 2 (Jan-1 - Dec-31 2024)	Result 3 (Jan-1 - Dec-31 2025)
	KPIs); 10 indicate that they provide investor services.				
<b>DLI5: Increased Transparency of official fees and procedures</b>	31 states + FCT have websites but do not have fees, procedures and service level agreements (SLAs) for their business-enabling environment (BEE) MDAs stated. No advanced notification is provided of changes to fees and procedures. Adherence to SLAs is not monitored or reported to the public. Only one state and FCT have timelines associated to the resolution of grievances.	<b>5.1</b> Published on state official website(s): fees, procedures, and service delivery timelines of five key BEE State MDAs as per the verification protocols.	<b>5.2</b> Published on state official website(s): fees, procedures, and service delivery timelines of five key BEE State MDAs; AND State Executive Order issued to direct five State BEE MDAs to publish on state official website(s) their fees, procedures, SLAs, GRM, and mandatory advance communication rules of upcoming changes, as per the verification protocols.	<b>5.3</b> Published on state official website(s): fees, procedures, and service delivery timelines of five key BEE State MDAs; AND GRMs at two key BEE State MDAs are operational and a minimum of 50% of grievances received are addressed within the specified SLAs.	<b>5.4</b> Published on state official website(s): fees, procedures, and service delivery timelines of five key BEE State MDAs. AND GRMs at two key BEE State MDAs are operational and a minimum of 75% of grievances received are addressed within the specified SLAs. <sup>6</sup> AND Publish at least on a monthly basis on state official website(s): compliance with SLAs of five key BEE State MDAs.
<b>DLI6: Increased transparency of fees and levies for inter-state trade and increased exporter certification</b>	<b>6.1</b> 15 states have haulage fees. 17 states lack a published schedule of trade-related fees and levies. 20 states have a GRM systems, out of which 17 also cover traders, while 4 states do not have a GRM system for traders.  <b>6.2</b> 20 states have an active State Committee on Export Promotion (SCEP) and 3 states have an inactive one. 13 of the SCEPs do not have an operational budget other than the NEPC contributions, hence they do not carry out activities and meetings.	<b>6.1.1</b> Published on state official website: schedule of trade related fees and levies on inter-state movement of goods.	<b>6.1.2</b> Published on state official website: schedule of trade related fees and levies on inter-state movement of goods; AND GRM for traders established including SMS/hotline for reporting and redress.  <b>6.2.1</b> State allocated an operational budget to the SCEP in the 2024 budget. AND Published on state official website: a state export strategy and guidelines.	<b>6.1.3</b> Published on state official website: schedule of trade related fees and levies on inter-state movement of goods; AND report on complaints from traders and redress actions; AND A minimum of 50 percent of grievances received in the GRM are addressed within the specified SLAs.  <b>6.2.2</b> At least 10% increase in the number of firms in the state that obtained export certificates from NEPC from the baseline year (2021).	<b>6.1.4</b> Published on state official website: schedule of trade related fees and levies on inter-state movement of goods; AND report on complaints from traders and redress actions; AND A minimum of 75 percent of grievances received in the GRM are addressed within the specified service level agreements; AND Eliminated haulage fees and charges.  <b>6.2.3</b> At least 20% increase in firms in the state that obtained export certificates from NEPC from the baseline year (2021).
<b>DLI7: Simplified state and local business tax regimes</b>	No states have a presumptive turnover tax regime for small businesses; no states have a consolidated demand notice that business-related local government charges/fees/taxes; no states have an electronic platform established for the collection of taxes, levies, and fees from businesses and automated e-receipt generation (QR code or unique payment ID) for all business-enabling environment related MDAs	N/A	<b>7.1</b> State amended existing legislation or passed new legislation to adopt presumptive turnover tax regime for small businesses; AND, (b) State subsumed business-related local government charges/fees/taxes into a consolidated demand notice ( <i>one-time payment for year in which DLR is first achieved, up to Year 3</i> )	<b>7.2.1</b> Electronic platform established for the collection of taxes, levies, and fees from businesses and automated e-receipt generation (QR code or unique payment ID) for all business-enabling environment related MDAs.	<b>7.2.2</b> All State-level and local government taxes, levies, and fees from businesses can be paid electronically; and there is an adoption rate of: <b>Basic target:</b> At least 33% of State collection of taxes, levies, and fees from businesses <b>Stretch target:</b> At least 66% of State collection of taxes, levies, and fees from businesses.
<b>DLI8: Quick determination of commercial</b>	Seven states and the FCT have operational small claims courts. These are: Lagos, Jigawa, Edo,	N/A	<b>8.1</b> Judicial Committee established by the Chief Judge of the state judiciary; AND	<b>8.2</b> Monthly performance reports for small claims courts for 2023 (from inception of the courts to December	<b>8.3</b> Monthly performance reports for small claims court for 2024 (Jan to Dec 2024) to be made available to the public on state Judiciary's website by 31 March

<sup>6</sup> Multiple channels for grievance uptake/publicly available procedure/service standards for resolution/clearly defined appeal process. This could include Establishing a state dashboard that shows real time statistics on key metrics such as time taken to resolve complaints, updates on key infrastructure projects as compared to service level agreements each MDA has.

DLIs	Baseline	Prior Result <i>(Achievable b/w June 1, 2022 and January 5, 2023)</i>	Disbursement Linked Results (DLR)		
			Result 1 (Jan-1 - Dec-31 2023)	Result 2 (Jan-1 - Dec-31 2024)	Result 3 (Jan-1 - Dec-31 2025)
disputes	Ogun, Kano, Ekiti, Nasarawa and FCT.		Published on State judiciary website: Practice Directions of the small claims courts; AND State established and operated at least two small claims courts having tried at least one case each.	2023) to be made available to the public on state Judiciary's website by 31 March 2024; AND 50% of cases disposed within 60 days, as recorded by the time to disposition report; AND 50% of judgments executed within 30 days, as recorded by the execution reports.	2025; AND 75% of cases disposed within 60 days as recorded by the time to disposition report; AND 75% of judgments executed within 30 days as recorded by the execution reports.



