

**Ministry of internal Affairs**

**GOVERNANCE COMMISSION**

**TERMS OF REFERENCE FOR A CONSULTANT TO DESIGN AND DEVELOP A 5-YEAR DECENTRALIZATION PROGRAM (2020-2024) FOR LIBERIA, ALIGNED WITH THE NATIONAL POLICY ON DECENTRALIZATION AND LOCAL GOVERNANCE, THE LOCAL GOVERNMENT ACT (LGA) OF 2018; AND THE PRO-POOR AGENDA FOR PROSPERITY AND DEVELOPMENT (PAPD)**

**Type of Assignment:** A 5-Year Decentralization Program 2020-2024

**Type of Contract:** Individual Consultant (IC)

**Language Required:** Excellent spoken and written English

**Commencement Date:** 2 July 2019

**End Date:** July 31, 2019

**Duration of the work:** 25 days

**Location/duty station**: Monrovia, with possible visits to counties

**1.0 Introduction**

In 2012, the Government of Liberia (GoL) launched a National Policy on Decentralization and Local Governance (NPDLG). Commendable progress has been made towards opening space for public participation in decision making processes at local government level. The policy reform seeks to engender citizens’ participation in governance and to promote a system of grassroots democracy that considers the views and aspirations of all citizens in local governance. The decentralization process is also designed to play a major role in providing equal opportunity for citizens to participate in the development process in order to accelerate the pace of improvement in the quality of life the Liberian people”[[1]](#footnote-1). The specific objectives of the decentralization policy in Liberia are to:

* Enhance sensitive, responsive, capable and accountable local governments.
* Accelerate effective and efficient service delivery and poverty alleviation by developing and strengthening local level planning, monitoring and management capacity and providing access to national and local resources through fiscal decentralization.
* Increase equitable distribution of the nation’s resources so as to ensure a more holistic process of development and democratic governance.
* Enhance participatory decision-making to engender peace-building and reconciliation.

**2.0 Background Context**

The policy on decentralization was a partial response to the internal conflicts that dogged Liberia from the early 1970s until 2012 and made the country ungovernable. The system of governance and public administration was excessively centralized in Monrovia and did not allow citizen participation in local governance. This resulted into civil uprisings in the 1970s, the military dictatorship of the 1980s and the 14 years of civil wars between 1989 and 2003. The unrest led to destruction of not only infrastructure services, but also a breakdown in public administration capacity to provide services and foster development. The 18th August 2003 Accra Comprehensive Peace Agreement, provided the framework for the desired change and way forward for inclusive governance, peace, political stability, recovery, and development. The decentralization policy was set in line with the Agenda for Transformation (AfT) which stated that: *“In partnership with citizens, create transparent, accountable and responsive public institutions that contribute to economic and social development as well as inclusive and participatory governance systems[[2]](#footnote-2)”.*

In July 2018, His Excellency George M. Weah, launched the Pro-Poor agenda for Prosperity and Development (PAPD), a 5-year development plan, July 2018 to June 2023. PAPD added momentum to decentralization and participatory local governance. It also brought on board the localization of the 2030 Sustainable Development Goals (SDGs) to ensure that “no one is left behind.” PAPD is the current national development plan whose Pillar Four emphasizes: (a) inclusion, equitable distribution of national wealth, and a rights-based approach to national development focused on Liberia Vision 2030, the African Union Agenda 2063, and the Sustainable Development Goals (SDGs)[[3]](#footnote-3). The UNDP along with other development partners, has made a commitment to support the PAPD programs in regard to peace building, reconciliation, inclusive development, and poverty reduction[[4]](#footnote-4).

On September 19, 2018, His Excellency George M. Weah signed the new Local Government (LGA) into law. The LGA specifically defines government administration in county and sub-county entities including districts, cities, townships, chiefdoms, clans, and towns. In terms of its impact on the overall governance in Liberia, the LGA is designed to shift authorities for political, administrative, and fiscal decision-making from the central Government to local governments as follows:

* County administrative department assume regulatory, administrative, and financial responsibilities currently exercised by central agencies while, for the time being, central government retains the power to appoint county superintendents, mayors, and other local officials;
* New roles of chiefs on the National Council of Chiefs and on county councils bring traditional leaders into the mainstream of governance;
* The establishment of advisory councils for counties, districts, chiefdoms, clans, and towns, provides checks and balances for greater accountability and participatory decision making; and
* Local leaders charged with management responsibility and authority for raising and using resources are accountable to existing laws on use of public funds and other resources.

Liberia remains a unitary state consisting of fifteen (15) counties – Bomi, Bong, Gbarpolu, Grand Bassa, Grand Cape Mount, Grand Gedeh, Grand Kru, Lofa, Margibi, Maryland, Montserrado, Nimba, Rivercess, River Gee and Sinoe. However, under the new dispensation, the Government of Liberia (GoL) recognizes local governments as a tier of government that is closest to the people and a level where basic services are provided efficiently.

**3.0 Liberia Decentralization Support Program (LDSP)**

**3.1 Introduction**

In 2013, the GoL through the Ministry of Internal Affairs (MIA), created the Liberia Decentralization Support Program (LDSP). LDSP is a 5-year program with the overall objective of supporting GoL to implement NPDLG and in particular, to promote de-concentration of services to county government; participatory and inclusive local governance; and to provide capacity building for human resources and institutions. LDSP is expected to accomplish the following five outcomes:

* Outcome 1: De-concentrated services and corresponding resources managed at the assigned level of government
* Outcome 2: De-concentrated services and accountability of local government is improved
* Outcome 3: Legal and regulatory framework for decentralization is in place
* Outcome 4: Strengthening MIA
* Outcome 5: Programme Management support, coordination, and monitoring strengthened

**3.2 Funding**

The LDSP has been implemented with funding and technical assistance from the GoL, the European Union (EU), Swedish Government, the United States Agency for International Development (USAID), and the United Nations Agencies including: the United Nations Development Program (UNDP), the United Nations Mission to Liberia (UNMIL) and UNWomen providing mainly technical assistance in gender mainstreaming in local governance. The GoL has, from its own budget, contributed to operations and sustainability of the county service centers. The UNDP Liberia was tasked with the responsibility of managing donor funds.

Additional partners that have supported the GoL decentralization efforts include the following USAID projects: Local Empowerment for Government Inclusion and Transparency (LEGIT); the Land Governance Support Activity (LGSA); and the Liberia Accountability and Voice Initiative (LAVI). LEGIT supports participatory governance in county administration and city corporations. LGSA provides ongoing technical assistance and training to the Liberia Land Authority to improve the documentation of land tenure and ownership, and LAVI promotes advocacy aimed at public sector accountability at national and local levels.

**3.3 Management**

The Inter-Ministerial Committee on Decentralization (ICMD) is the highest authority and decision making body on matters of decentralization in Liberia. It meets at least two (2) times a year, under the chair of the President. The Minister of Internal Affairs is the Secretary. The membership comprises all ministries, agencies and commissions (MACs) that have deconcentrated their services to the county services centers (CSCs). Below the IMCD is the National Decentralization Program (LDSP) Board (NDPB) chaired by the Minister of Internal Affairs and co-chaired jointly with the Chairman of the Governance Commission and the UNDP. It comprises: representatives of the donors mentioned above – EU, USAID, Swedish Embassy, and UNDP; Ministries of Internal Affairs; Finance and Development Planning; Governance Commission; representatives of Ministries, Agencies, and Commissions (MACs) that have deconcentrated their services to the county service centers (CSCs) and is chaired by the Ministry of Internal Affairs and co-chaired by GC and UNDP. Regarding its role, the Board (a) provides strategic advice and direction to LDSP; (b) approves LDSP annual work plans (AWP) and budget; and (c) provides oversight and monitors progress against the strategic plan, amongst other functions. The Board meets once every quarter. MIA set up a the National Decentralization Implementation Secretariat (NDIS) mandated to support: (a) decentralization activities; (b) capacity building for staff and departments; and (c) monitor the Liberia Decentralization Implementation Plan (LDIP). NDIS initially had a compliment of 10 established positions. These include: National Program Director, Chief Technical Advisor, Political Decentralization Advisor, Gender Specialist, M&E & Reporting Specialist, National Communication Specialist, Finance Officer, Project Assistant, IT Specialist, and one (1) Driver. However, due to re-profiling of the staff, there are currently five staff supporting the programme. They include 2 staff from MIA, 1 from GC and 2 from UNDP. In addition, the Secretariat has three support staff who include: the Administrative Assistant, a janitor, and a driver. NDIS is supported by a Technical Working Group comprising representatives of MACs, donors, with the Minister of Internal Affairs as the chairperson.

**3.4 Achievements**

LDSP has made significant progress towards implementing the decentralization policy, local governance, and service delivery. The accomplishments of the past 6 years can be summarized under the following headings:

1. Extended the dialogue and debate on decentralization and local government issues across the counties, MACs and civil society resulting in better understanding of the benefits and challenges of decentralization and to manage them to foster good local governance.
2. Facilitated the Deconcentration Platform as a quick win strategy to (a) respond to the needs of citizens, (b) bring services closer to citizens through the county service center and (c) demonstrate the dividends of peace and stability.
3. Facilitated the establishment of county services centers in all the fifteen (15) counties as a one-stop-shop for documentation services related to traditional and western marriage certificates, birth registration of 0-12 years old, psychological counselling, car registration, drivers’ license, business licenses, contractor permits, land deed registration, letter of administration, mining license in the capital cities of all the fifteen (15) counties[[5]](#footnote-5).
4. Facilitated gender mainstreaming and empowering women. The empowerment of women was accomplished through exposure to areas such as: (a) women’s rights; (b) human rights in general; (c) participatory planning and budgeting, (d) leadership, (e) roles and responsibilities in local governance, and (f) community development.
5. Played a key role in getting Treasury offices opened in four counties – Grand Bassa, Margibi, Bong, and Nimba.
6. Supported awareness campaigns on decentralization, local governance, and service delivery through town hall meeting, radio and television talk shows, billboards and promotional materials as well as outreach activities
7. Facilitated an extensive and solid analysis of the mechanisms and challenges of service delivery from the perspectives county administration, beneficiaries, and service providers resulting in the creation of county service centers in all counties.
8. Assisted to strengthen the capacity and competencies of local governments through mentoring, coaching, and training
9. Generated policy debate between local governments and central government sectors on matters financing local government mandates resulting in developing a revenue formula to allow effective implementation of decentralised functions and responsibilities.
10. Helped county administrations to appreciate tools that can be used to guard against corruption. These include social accountability tools such as participatory budgeting, community scorecards, service delivery surveys, independent budget analysis, budget tracking, etc.
11. Played a key role in getting the Local Government Act passed and assented to by His Excellency President George Weah

This progress notwithstanding, challenges still remain. The most prominent of this relates to the implementation of the Local Government Act and the establishment of the Ministry of Local Government.

**4.0 Strategic Context for 2020-2024**

The key pressing issue today is the operationalization of the Local Government Act and to ensure its implementation to consolidate the decentralization process and to strengthen participatory, responsive and gender sensitive local governance. The new Local Government Act of 2018 (LGA) provides for the empowerment of local government entities to manage certain public functions and provide certain social services in a manner that is equitable, responsive and transparent. It also provides that the main function of local governments is to deliver basic public goods and services. The new Law provides, amongst other provisions, for bottom-up planning and consultation with citizens, Section 5(a) says: “The development planning process shall be participatory, gender-sensitive, and inclusive of all citizens, residents, minorities and marginalized communities, as well as civil society organizations, non-governmental organizations, and private sector entities. Consultations shall commence from the general town level[[6]](#footnote-6)” Section 6(1) says that “Local Governments shall take proactive measures to promote gender equality and women’s empowerment at all levels and in all areas local government administration”[[7]](#footnote-7). The milestones have had positive impact on sustaining peace, stability, unity, and inclusion of traditionally marginalized groups including women and girls, the youth and physically challenged. Besides, attitudes and mindsets towards transferring administrative, political and fiscal responsibilities from central government to local government are positively changing and benefits of decentralization are being acknowledged. The empowerment of women has also been at the core of decentralization reforms. Additionally, citizens’ feedback mechanism is set to become a major component of the new program.

With the support of donors and partners, the Ministry of Internal Affairs (MIA) in collaboration with the UNDP, the Governance Commission (GC), and the Ministry of Finance and Development Planning (MFDP), will hire a consultant to develop a 5-year “Decentralization Program” 2020-2024, guided by: (a) the National Policy on Decentralization and Local Governance; (b) the Local Government Act of 2018 and other relevant legislations; and (c) Pro-poor Agenda for Prosperity and Development (PAPD). The proposed program will serve as a successor program to the LDSP 2013-2018 to support decentralization reforms in Liberia.

**The consultancy is expected to develop a program with specific focus on: (a) establishing administrative and advisory bodies at all levels of local governance; (b) developing the framework for financing local governments; (c) strengthening service delivery through the fifteen (15) county service centers (CSCs); (d) providing basic infrastructural, human resource, and logistical resources to facilitate the functions of local governments; (e) promulgating legislation on the status of municipalities and transiting from Ministry of Internal Affairs (MIA) to Ministry of Local Government (MLG); (f) determining the methods of selecting local government officials described in the constitution; and (g) mainstreaming gender in local governance**.

**5.0 Core Responsibilities of the Consultant**

Under the direct supervision and guidance of MIA and UNDP, the consultant will carry out stakeholder consultations and generation of information for the preparation of the programme document. The core responsibilities of the Consultant will include, but not limited to:

* Review the January 2012 National Policy on Decentralization and Local Governance (“2012 Decentralization Policy”) and the February 2015 Deconcentration Implementation Strategy and the National Deconcentration Platform (“2015 Deconcentration Platform”), along with the Local Government Act of 2018
* Conduct a desk review of other relevant official documents related to decentralization in Liberia, specifically from the MIA, GC, MFDP, and relevant MACs concerned with decentralization;
* Systematically identify and interview a cross-section of respondents from various decentralization stakeholders in Liberia, including but not limited to Government of Liberia entities and the national and sub-national levels, MACs, development partners, and civil society organizations
* Through a consultative process and application of an appropriate tool of analysis, identify pressing issues that are set to influence the implementation of the Local Government Act and decentralization in general and develop strategic objectives and key result areas for the same
* Hold focus group discussions with these stakeholders as appropriate;
* Design and develop a 5-year program document with outcomes and outputs/deliverables, targets and baselines taking into account the information gathered from literature review and interviews with key stakeholders and beneficiaries
* Develop a costed Results and Resources Framework for the program period (2020-2024).
* Develop a framework and guide to support the transition from the Ministry of Internal Affairs to the Ministry of Local Government
* Estimate the resource requirements for decentralization implementation over the 5 year period
* Develop the initial annual work plan (AWP) with baselines outputs, targets and indicators together with resource and logistical requirements and submit it to MIA, MFDP, GC, and UNDP
* Recommend mechanisms and processes for a thorough implementation of LGA provisions;
* Develop an implementation timeline indicating the sequencing of the activities and interventions for achieving the strategic objectives;
* Outline intervention measures (operational and financial) by the MACs and other relevant stakeholders to sustain program implementation throughout the ten-year period;
* Provide a comprehensive compliance template to enable the MACs monitor progress and challenges in program implementation;
* Develop the Monitoring & Evaluation (M&E) framework for the Programme, provide the baselines and design a robust Management Information System (MIS), and

**6.0 Approach and Methodology**

The approach and methodology for all tasks mentioned above is to be developed by the consultant, taking into account the following:

* Comprehensive literature review
* Interviews with key stakeholders including MIA, UNDP, GC, and NDIS to collect data and relevant information
* Field visits to conduct interviews with local government officials, county service center staff, civil society and private sector leaders, and beneficiaries, amongst others

**7.0 Work Plan**

The consultant is expected to prepare a work plan indicating:

* The main activities to be undertaken and the objectives to be achieved
* The time schedule for the activities during the consultancy period
* Estimated budget in US Dollars

**8.0 Facilitation**

MIA shall provide the consultant with a work station inclusive of a desk, chair, internet facility, stationery, etc. MIA, GC, MFDP, and NDIS will provide relevant background documents necessary for the assignment. These will including: the National Policy on Decentralization and Local Governance; the Local Government Act of 2018; the draft Ministry of Local Government Act; Annual Work Plans 2015 – 2018; Procurement Plans; Annual Reports 2015 – 2018; Audit reports; LDSP quarterly reports, Monthly and Annual Reports from County Service Centers; Annual Statement of Assets; Financial Reports; M&E framework and reports; relevant Minutes of staff meetings; Internal and External Evaluation Reports from development partners and key stakeholders; to mention a few.

**9.0 Expected Outputs and Deliverables**

* Briefing meetings with MIA, GC, MPDF, UNDP, and NDIS
* Detailed Work Plan for the consultancy
* Inception Report within 5 days of signing the contract
* 5-year Programme Document (2020-2024) including the first year(2020) Annual Work Plan (AWP)
* Executive Summary of the Work Program
* Results and Resources Framework
* The first Annual Work Plan
* The Monitoring and Evaluation Framework

**10.0** **Team Composition and Required Qualification**

The assignment will be undertaken by 2 individuals, hired as consultants, comprised of a project document development Manager and an Associate. Both international and national consultants can be considered for both positions.

## 10.1 Required Qualifications of the project document development Manager

* Minimum Master’s degree in law, economics, political science, public administration, regional development/planning, or other social science;
* At least 10-15 years professional experience in program document design and development and implementation;
* Working experience on decentralization and local government issues;
* Demonstrated experience in working with government partners, development partners, civil society organizations, and training institutions involved with decentralization and local governance in the area of research and capacity development;
* Demonstrated experience in promoting gender balance in governance processes and empowerment of marginalized groups such as women and girls, the youth, and the physically challenged

The Project Document Development Manager will have overall responsibility for the quality and timely submission of the draft project document. Specifically, project document Manager will perform the following tasks:

* Lead and manage the exercise;
* Develop the inception report, detailing the scope, methodology and approach;
* Manage the team during the entire exercise, and liaise with UNDP on travel and interview schedules’
* Draft and present the draft and final project document and annual work plan;
* Lead the presentation of draft document in a stakeholder workshop;
* Finalize the project document and annual work plan and submit to UNDP and partners.

## 10.2 Required qualification of the Project Document Associate

* Liberian citizen or persons with extensive experience working in Liberia during the last 5 years;
* Minimum master’s degree in the social sciences or similar area;
* Minimum 5 years’ experience carrying out development of project documents for government and civil society;
* Experience working in or closely with UN agencies, especially UNDP, is preferred;
* A deep understanding of the development context in Liberia and preferably an understanding of governance issues within the Liberia context;
* Strong communication skills;
* Excellent reporting and communication skills in English.

The Project Document Associate will perform the following tasks:

* Review documents;
* Participate in the design of the project document methodology;
* Assist in carrying out the assignment in accordance with the proposed objectives and scope;
* Draft related parts of the project document and annual work plan as agreed with the Manager;
* Assist the manager to finalize the draft and final project document and annual work plan.

**11.0 Time Frame for the Assignment**

The assignment is expected to take 25 working days over a period of 5 weeks starting July 2, 2019. Final document is expected by July 31, 2019. The following table provides an indicative breakdown for activities and deliverables:

|  |  |  |
| --- | --- | --- |
| **Activity** | **Deliverable** | **Time period (days) for task completion** |
|  |  |
| Review materials and develop work plan | Inception report | 7 |
| Participate in an Inception Meeting with MIA, GC, MACS and donor and other partners |
| Draft inception report |
| Review Documents and stakeholder consultations | Draft prodoc  Stakeholder workshop presentation | 10 |
| Conduct field visits |
| Analyse data |
| Develop draft decentralization project document |
|  |
|  | Final Prodoc | 8 |
| Finalize and submit the prodoc incorporating additions and comments provided by stakeholders |
|  | Totals | 25 |

**12.0 Competencies and Skills**

* Ability to work with minimal supervision
* High level written and oral communications skills in English. Knowledge of local languages is added advantage
* Research, data analysis, and report writing
* A team player and results oriented
* Demonstrated Excellent interpersonal and professional skills in interacting with government officials, development partners, and civil society
* Facilitation skills for workshops and related engagements
* Evidence of having undertaken similar assignments

**13.0 Fees and Payments**

Interested consultants should provide their requested fee rates when they submit their expressions of interest, in USD. UNDP will then negotiate and finalise contracts. Travel costs and daily allowances will be paid against invoice, and subject to the UN payment schedules for Liberia. Fee payments will be made upon acceptance and approval by the UNDP Country Office of planned deliverables, based on the following payment schedule:

|  |  |
| --- | --- |
| Inception report | 10% |
| Draft Project Document | 60% |
| Final Project Document | 30% |

**14.0 Application process.**

Interested and qualified candidates should submit their applications which should include the following:

1. Detailed Curriculum Vitae and profile or P11, indicating all past experience from similar projects, as well as the contact details (email and telephone number) of the Candidate and at least three (3) professional references;
2. A technical proposal for implementing the assignment to include Methodology and approach for implementing the assignment, Work plan with timelines, etc.
3. A financial proposal (price offer)

The financial proposal should be all inclusive (Lump Sum Amount), with all costs (professional fees, travel costs, living allowances, communications, consumables, etc.) that could possibly be incurred by the Consultant should already factored into the final amounts submitted in the proposal (in-country travel in Liberia will be determined later and should not be estimated);

The contract price is fixed regardless of changes in the cost components.

1. Republic of Liberia Governance Commission 9th Street Sinkor, Liberia (2011). National Policy on Decentralization and Local Governance, p.i [↑](#footnote-ref-1)
2. Op. Cit. Republic of Liberia. Agenda for Transformation: Steps Towards Liberia RAISING 2030, p. 9 & 29 p. 100 [↑](#footnote-ref-2)
3. Republic of Liberia (2018). Pro-Poor Agenda for Prosperity and Development (PAPD), p.i [↑](#footnote-ref-3)
4. UNDP Liberia (2018). UNDAF Roadmap, p. 2 [↑](#footnote-ref-4)
5. Fifteen (15) County Service Centers (CSCs) were established a one-stop-shop for services relating to traditional and western marriage certificates, birth registration of 0-12 years old, psychological counselling, car registration, drivers’ license, business licenses, contractor permits, land deed registration, letter of administration, mining license in the capital cities of all the fifteen (15) counties. The Platform was developed with the mandate that ministries, agencies, and commissions (MACs) begin to deconcentrate services to the counties and coordinate service delivery through the offices of county superintendents assisted by a coordinator. To date, the following fourteen (14) MACs are represented at the CSCs: Ministry of Internal Affairs (MIA); Ministry of Agriculture (MOA); Ministry of Education (MOE); Ministry of Labor (MOL); Ministry of Public Works (MPW); Ministry of Youth & Sports (MYS); Civil Service Agency (CSA); Ministry of Commerce (MOC); Ministry of Health & Social Welfare (MOH&SW); Ministry of Finance and Development Planning (MFDP); Liberia Revenue Authority (LRA); Ministry of Posts & Telecommunications (MP&T); Ministry of Transport (MOT); Ministry of Gender and Development and Social Protection (MGDSP); Center for National Documentation Records and Archives (CNDRA); and Liberia Institute of Statistics and Geo-Information Service (LISGIS). By December 2018 a total of 65,446 citizens had benefited from the centers. Of these, 29,358 are women and 36,688 are men. [↑](#footnote-ref-5)
6. Local Government Act of 2018, p. 33 [↑](#footnote-ref-6)
7. Local Government Act of 2018, p. 35 [↑](#footnote-ref-7)