



TERMS OF REFERENCE

LOCAL ADMINISTRATION REFORM PHASE III

LOCAL JUNIOR EXPERT FOR DEVELOPING AND IMPLEMENTING LOCAL SERVICE DELIVERY STANDARDS IN ORDER TO SIMPLIFY THE PROCESSES FOR SERVICE PROVISION

1 BACKGROUND

IPA II Indicative Strategy Paper for Turkey (2014-2020) targets the improvement of Public Administration Reform (PAR) coordination, policy-making, civil service and public administration organization and governance and service delivery to citizens and businesses, including at local level.

The new legislation adopted in the past years in the field of local administration, has expanded the scope of the responsibilities of local administrations in the provision of public services, as well as in the promotion of the social and economic development of the relevant communities.

Relevant to the recent developments in the field, the 10th National Development Plan, put into effect in June 2013, underlines the negative effect of lack of technical and institutional capacities at the local level on quality and efficiency of local service delivery, while reiterating the importance of increasing institutional capacities of the new metropolitan municipalities (MMs) established in accordance with the Law No. 6360. The Plan also highlights the importance of deploying participatory tools in local administrations in order to support further reforms on including non-governmental organizations, private sector and unorganized civil society to local decision-making processes. In this vein, the 10th National Development Plan focuses on identification of priorities at the local level and efficient use of local resources as it identifies the main beneficiaries of the Plan as local authorities, MMs, universities, professional organizations and NGOs. In specific terms, the following objectives for LAR under the Plan are entrusted to the coordination of Ministry of Interior (MoI):

- Increased efficiency in local service delivery,
- Strengthened capacities of local administrations in terms of human resources, management and strategic planning,
- Strengthened capacities of local administrations in terms of project management,
- Enhanced inclusion of universities, NGOs and professional organizations in local decision-making processes.

In line with the objectives of the 10th National Development Plan, the Strategic Plan of the MoI for 2015-2019 identifies the priorities and the core values of the MoI as; the rule of law, respect for human rights, transparency, commitment to ethic values, participation and delivery of efficient and good- quality services. The Strategic Plan highlights the importance of ensuring efficiency, effectiveness, participation, openness and accountability at local administrations as one of its main goals. The Strategic Plan sets five thematic areas and results as i) Establishing a peaceful environment via strengthening internal security services and coordination in accordance with human rights norms, ii) Increasing pace and quality of services provided by local authorities including governorates and district governorates, iii) Promoting development of civil society, iv) Deployment of information technologies as a facilitator in efficient provision of services and v) Increasing the pace and quality of the services provided by the MoI.

The Government of Turkey adopted the Strategy for Increasing Transparency and Strengthening the Fight against Corruption in 2010 and updated the Strategy in 2016. One of the strategic objectives of the referred Strategy also

focuses on increase of institutional capacities of local administrations, strengthening decentralization and democracy by ensuring attendance and transparency. Currently, the local authorities are obliged to develop their own websites and disclose the important decisions taken at the referred websites for a period of 15 days.

In the scope of the LAR-II, a white paper was developed for the MoI, which outlines the short, medium- and long-term policy options to be pursued to have a full-fledged LAR in the scope of Turkey's EU Accession process. This Project addresses to the short-and medium-term policies those will form the basis of long-term policy options for the Government of Turkey. Besides, the Project at hand represents a continuum of the first and second phases of EU-funded LAR projects, in the scope of which required legislative framework were improved and put into place through phased approach. Besides, this Project, which is the third phase of LAR, will also address the needs that will be explored for effective implementation of the metropolitan municipality model that was introduced after the completion of LAR-II.

With a view to further support implementation of Local Administration Reform in Turkey, MoI and UNDP collaborated on design and implementation of the third phase of the LAR Project. In this sense, Local Administration Reform Phase III Project is an EU-funded technical assistance project.

Within the scope of a Direct Grant Agreement, signed between Central Finance and Contracts Unit (CFCU) and UNDP and endorsed by Delegation of the European Union to Turkey (EUD), Ministry of Interior General Directorate for Provincial Administrations (MoI/GDPA) will be the executive agency of the Project and will work closely with Ministry of Environment and Urbanization (MoEU/GDLA) to achieve the expected outputs. In that respect, the implementing partners of the Project are Ministry of Environment and Urbanization (MoEU), Ministry of Treasury and Finance (MoTF) and Union of Municipalities of Turkey (UMT).

The overall objective of the Project is to ensure effective, inclusive, accountable and participatory local governance in Turkey, in particular through support to further implementation of the LARs undertaken between 2003-2013, in line with international standards. The specific objective of the project is to develop and strengthen the administrative capacity and cooperation of MoI, MoEU and Local Authorities themselves in the task of ensuring the effective implementation of the new local administration model in line with principles of democratic governance.

The Project aims to achieve the following results:

- Administrative and operational capacities for efficient provision of local services enhanced,
- Administrative and operational capacities of the local authorities for the implementation of new Metropolitan Municipality Model strengthened,
- Institutional capacity of the local authorities in terms of service delivery and adoption of the principles of democratic governance enhanced,
- Public awareness on urbanization enhanced through institutional and individual capacity enhancement programmes,
- Efficiency of the local services enhanced through online managements systems.

LAR Phase III is composed of three components:

Component 1- Effective Local Service Delivery:

The main objective of Component 1 is to provide support and recommendations to the MoI and MoEU for the development of draft legislations, which will enable MoI and MoEU and their staff as well as local administrators (mayors; deputy mayors; heads of the clerk's department, the financial services department and the planning departments of municipalities) to exercise effective local service delivery methods in the overall local administration scheme.

Component 2- Capacity Building for New Metropolitan Municipality Model and Inclusive Local Governance Processes

The main objective of Component 2 is to assess the impact of municipal legislation and enhance the institutional capacity of the local authorities responding to the new responsibilities they are to undertake with the enforcement of new Metropolitan Municipality Model in 2012. In addition, the needs for transparent processes at local authorities will be addressed in the scope of Component 2.

Component 3- Online Management Information Systems Installed and Updated

The MoI initiated two important databases with YEREL BILGI and BEPER Projects in the past, one of which is not in use anymore. YEREL BILGI aims to provide information about local administrations, special provincial administrations, their corporations, municipalities and corporations belonging to municipalities, district governorates, villages, and associations affiliated to GDLA through a single database. With this Component, the Project will contribute to improved flow of information and increased accessibility of the available data produced in the form of secondary legislation, decrees and decisions, both at the national and local levels and within the country. Under the current state of functioning, there is no systematic that enables to access all relevant and updated data which prevent to make decisions in a holistic way. MoEU holds its new responsibilities concerning the local authorities after the introduction of the presidential system of government in July 2018 and the Project will address the effective communication flow within the departments of the MoEU as well as update of the YEREL BILGI in a way to ensure its linkage with the local. In addition, the technical capacity for effective use of YEREL BILGI will be enhanced and relevant MoI staff will transfer the accumulated knowledge to the staff of MoEU.

Against this background, architecture of project components and activities are as the following:

Local Administration Reform Project in Turkey- LAR III		
Overall Objective		
to ensure effective, inclusive, accountable and participatory local governance in Turkey, in particular through support to further implementation of the LARs undertaken between 2003-2013, in line with international standards		
Specific Objective		
To develop and strengthen the administrative capacity and cooperation of Turkish MoI, MoEU and Local Authorities themselves in the task of ensuring the effective implementation of the new local administration model in line with principles of democratic governance.		
Component 1: Effective Local Service Delivery	Component 2: Capacity Building for New Metropolitan Municipality Model and Inclusive Local Governance Processes	Component 3: Online Management Information Systems
R.1.1. Administrative and operational capacities for efficient provision of local services enhanced	R.2.1. Administrative and operational capacities of the local authorities for the implementation of new Metropolitan Municipality Model strengthened,	R.3.1. Efficiency of the local services enhanced through online managements systems.
A.1.1.1. Establish a Support Group on Legislation Drafting Process of MoI and MoEU (SGL) and Consultative Group of Local Authorities (CGLA)	A.2.1.1. Assess the impact of the implementation of legislation on local authorities	A.3.1.1 Develop a software to facilitate the communication flow within the departments of the MoEU
A.1.1.2. Develop recommendations for the development of a draft legislation for strengthening the loan system of local authorities through assessment of country experiences	A.2.1.2. Develop a software system for monitoring of the progress against the implementation of reforms in local administration	A.3.1.2. Update of the YEREL BILGI Project management system in the light of developed Software system
A.1.1.3. Develop recommendations for the development of a draft legislation for increasing the income of local authorities in line with other country experiences	A.2.1.3. Develop modelling for the implementation of new Metropolitan Municipality Model in different contexts and enhance cooperation and collaboration among the MM based on the modeling developed	A.3.1.3. Develop a user-friendly guideline for the use and update of the system
A.1.1.4. Develop recommendations for amendment of the relevant provisions of the Law No: 3572 and Regulation for Business License	A.2.1.4. Develop and Deliver Customized General Management and Job Skills Training Modules for the Use of the GDLA/MoEU and GDPA/MoI to be delivered to new MM	A.3.1.4. Deliver tailor-made trainings to the staff of MoI on effective use of the software system in alignment with YEREL BILGI management system
A.1.1.5. Develop the standards and principles for the establishment of an effective human resources management system in local administrations	A.2.1.5. Conduct a study on the projection of new local administration system, which will be introduced with the abolishment of special provincial administrations in accordance with the Law No: 6360	
A.1.1.6. Develop the service standards ensuring the MMs and its District Municipalities to use 10% of their budgets for the infrastructure works in rural areas (as defined in the Law No: 6360)	A.2.1.6. Conduct a current situation analysis concerning the evolving role of neighbourhood management and road map for its improvement in light with the new local administration system, mainly the introduction of new MMs	
A.1.1.7. Develop a comparative assessment on effective collection of municipal accounts receivable	R.2.2. Institutional capacity of the local authorities in terms of service delivery and adoption of the principles of democratic governance enhanced,	
A.1.1.8. Develop a performance management system to be adopted in MMs and District Municipalities	A.2.2.1. Develop and implement local service delivery standards in order to simplify the processes for service provision	
A.1.1.9. Develop recommendations for the development of a draft legislation on the functioning of municipality-led enterprises in line with EU Member States experiences	A.2.2.2. Develop and Implement Participatory Local Governance Model for 14 new MMs	
A.1.1.10. Develop recommendations for the development of a draft legislation regulating the legal and institutional infrastructure of Water and Sewerage Administrations	A.2.2.3. Assess EU experiences with good practices and lessons learned for enhancing transparency and accountability in local authorities and develop recommendations to a draft secondary legislation for enhancing transparency and accountability in local authorities	
A.1.1.11. Conduct technical visits to 3 EU member states	A.2.2.4. Develop a policy paper on reforming the Local Government Electoral System and Strengthening of Municipal Councils	
A.1.1.12. Develop recommendations for the development of a secondary legislation (regulation) for honours and ceremonies arranged by local authorities	R.2.3. Public awareness on urbanization enhanced through institutional and individual capacity enhancement programmes,	
A.1.1.13. Assess the impact born by localizing EU acquis on the work and responsibilities of local authorities in Turkey	A.2.3.1. Conduct Needs assessment for public awareness on urbanization targeting the disadvantaged groups (population affected by internal migration, youth, women, children)	
A.1.1.14. Develop and publish a full comparative assessment study on functioning of the local authorities	A.2.3.2. Design and implement capacity enhancement programs on urban awareness for the staff of Women Centers, Child Development Centers and other relevant social service units	
	A.2.3.3. Design and implement capacity enhancement programs on urban awareness to be delivered to selected staff of MM	

2 OBJECTIVE AND SCOPE OF THE ASSIGNMENT

As the Law No. 6360 became effective in 2014, there has been a need for the new MMs to have a coherent and simplified set of service delivery standards in order to fulfil their responsibilities under the referred Law. The standards will not be binding but will be a useful guidance to ensure consistency in local service delivery. It is expected to be used by MoI/GDPA and MoEU/GDLA in monitoring of the implementation of reforms in terms of local service delivery.

To this aim, TAT carried out preliminary activities such as assessing the current situation in MMs with regards to effectiveness of the service delivery in areas. TAT then organized a one-day workshop in Ankara with the representatives of SGLDP, CGLA and municipalities selected in consultation with the Beneficiaries, to discuss the overall outlook of the framework for setting standards for certain areas of municipal services. Consequently, following five service areas were decided for developing service standards:

1. Public health services
2. Fire services
3. Elderly care services
4. Public transportation services
5. Services for rural areas

On the other hand, considering that each of the selected areas above encapsulate wide array of sub-services for all of which developing standards are beyond the limits of this Project; scaling down of each service area was necessary. To further concretize the service areas to be identified, TAT conducted structured online interviews with the representative staff of the selected MMs in five selected service areas. Based on the findings of the workshop and interviews, TAT further identified specific areas for each of the five selected municipal services listed above for developing standards, in consultation with MoI/GDPA and MoEU/GDLA. In addition, under the outbreak of COVID-19, the capacities of municipal services came under the spotlights for effective crisis response, which also need special attention.

In this sense, an Individual Consultant (IC) will be mobilized as “Local Junior Expert for Developing and Implementing Local Service Delivery Standards in Order to Simplify the Processes for Service Provision”, who will be expected to support the Project Team, as well as Local ICs, within the scope of A.2.2.1. “Developing and implementing local service delivery standards in order to simplify the processes for service provision”, whose specific duties and responsibilities are stipulated within Article 4 and Article 6 of this Terms of Reference.

3 ACRONYMS AND ABBREVIATIONS

Unless otherwise noted;

- UNDP: United Nations Development Programme
- AFAD: Ministry of Interior Disaster and Emergency Management Presidency
- MM: Metropolitan Municipality
- MoI: Ministry of Interior
- MoTF: Ministry of Treasury and Finance
- MoEU: Ministry of Environment and Urbanization
- MoH: Ministry of Health
- GDLA: General Directorate of Local Authorities
- UMT: Union of Municipalities of Turkey
- CO: UNDP Country Office in Turkey

- PSB: Presidency of Strategy and Budget
- TAT: Technical Assistance Team
- IC: Individual Consultant
- SGLDP: Support Group on Legislation Drafting Process
- CGLA: Consultative Group of Local Authorities
- IDG: Inclusive and Democratic Governance
- FG: Focus Group
- WS: Workshop
- PT: Project Team
- STE: Short Term Expert

4 DUTIES AND RESPONSIBILITIES

4.A. DUTIES AND RESPONSIBILITIES OF THE INDIVIDUAL CONSULTANT

The IC is expected to fulfil the following duties and responsibilities to the satisfaction of UNDP:

Within the scope of the activities described in Article 2, the IC will be responsible for, including but not limited to, the following tasks:

- (i) Conducting desk research and literature review to feed the main reports.
- (ii) Supporting Local ICs in execution of activities described in Article 2.
- (iii) Preparing meeting minutes, interview reports, PowerPoint presentations, designing/editing the draft questionnaire/interview forms.
- (iv) Contribution to and participation in the field research activities, fact-finding meetings and/or online fact-finding activities.
- (v) Drafting, reviewing and editing activity reports and outputs produced within the scope of Activity A.2.2.1 of the Project.
- (vi) Making appointments for the meetings and helping identification of venues and participant contact lists.
- (vii) Contribution to the preparation, production and dispatchment of the referred service delivery standards and implementation guidelines.
- (viii) Planning, oversight and follow-ups of meetings, workshops, seminars and pilot studies including receipt of participant confirmations.
- (ix) Providing consecutive / whisper interpretation / written translation, as deemed necessary by UNDP.
- (x) Ensuring application of visibility rules in awareness raising activities.
- (xi) Attending coordination meetings with the project stakeholders and presenting findings if requested by UNDP.
- (xii) Providing support to the PT, TAT and ICs throughout the execution of the above listed activities.
- (xii) Any other task, in line with the duties and responsibilities stipulated throughout this Terms of Reference, as and when requested by UNDP.

The IC is expected to establish a close cooperation with other consultants assigned to conduct the activities and assist them communicate effectively through written and spoken translation from English to Turkish or vice versa,

if deemed necessary by UNDP. It is also essential to work in coordination with and under the overall guidance of the LAR III Project Team.

If required by UNDP, the IC could be requested to provide additional consultancy services on topics related to the above listed areas for other activities of the Project.

Reporting Language: All reports should be submitted in Turkish with Executive Summary in English. The final version of the main reports (or outputs as specified in Article 2 and Article 4) will be translated into English by UNDP for contractual purposes. The IC is expected to check the contents, proofread the draft translation and submit the final versions of main reports in English.

Title Rights: The title rights, copyrights and all other rights whatsoever nature in any material produced under the provisions of this ToR will be vested exclusively in UNDP.

The IC will have the overall responsibility for the conduct of the evaluation exercise as well as quality and timely submission of the above indicated reports to UNDP.

Visibility: IC should respect visibility rules applied in EU-funded projects which can be found in the link below:

https://www.avrupa.info.tr/sites/default/files/2018-01/communication-visibility-requirements-2018_en_0.pdf

4.B. DUTIES AND RESPONSIBILITIES OF UNDP

UNDP will provide all relevant background documents. UNDP is not required to provide any physical facility for the work of the IC. However, depending on the availability of physical facilities (e.g. working space, computer, printer, telephone lines, internet connection etc.) and at the discretion of UNDP and relevant stakeholders, such facilities may be provided at the disposal of the IC. UNDP will facilitate meetings between the IC and other stakeholders, when needed.

All documents and data provided to the IC are confidential and cannot be used for any other purposes or shared with a third party without any written approval from UNDP.

5 DELIVERABLES

The IC is expected to invest a maximum of 100 person/days for the completion of the services that will be requested through specific “Service Requests”.

The Assignment will include interim and final deliverables which will be identified throughout the execution of the contract. Deliverables will be identified in each specific “Service Request”.

The deliverables of the IC shall be subject to approval of UNDP (Project Manager of Local Administration Reform Phase III Project) within the deadlines to be set in each specific “Service Request”.

6 REQUIRED QUALIFICATIONS

The minimum qualification requirements and/or experience are presented below:

General Qualifications & Skills	Minimum Qualification Requirements	Assets
	University degree in Public Administration, Economics, Political Science, City and Regional Planning, Law, Management, Finance or any other relevant field	Advanced degree in Public Administration, Economics, Political Science, City and Regional Planning, Law, Management, Finance or any other relevant field
	Fluent written and spoken English and Turkish	
	Excellent reporting skills	
General Professional Experience	Minimum Qualification Requirements	Assets
	Minimum 5 years of general professional experience	More than 5 years of general professional experience
	Minimum 1 year of experience in projects financed by EU, UN or similar international organizations	More than 1 year of experience in projects financed by EU, UN or similar international organizations
	Minimum 2 years of experience in working with Turkish local administrations	More than 2 years of experience in working with Turkish local administrations
Specific Professional Experience	Minimum Qualification Requirements	Assets
	Experience in at least 1 project/assignment in the context of Turkish local administration system related to local service provision	Experience in more than 1 projects/assignments in the context of Turkish local administration system related to local service provision
		Academic papers and/or reports related to local service provision and/or local service delivery standards

Notes:

- Internships (paid/unpaid) are not considered professional experience.
- Obligatory military service is not considered professional experience.
- Female candidates are encouraged to apply.

7 TIMING AND DURATION

The Assignment is expected to start on 22 February 2021 and is expected to be completed by 28 October 2021.

8 PLACE OF WORK

Place of work for the assignment is Home-based and Ankara, Turkey. The costs to arise regarding flight tickets to be acquired by the Individual Consultant in order to join and leave the Duty Stations shall be borne by the Individual Consultant. The prospective ICs are expected to take this into consideration whilst determining their Daily Fee. The assignment may require travels to other provinces within Turkey with respect to project needs and the duties and responsibilities of the IC stated above.

The travel, accommodation costs (bed and breakfast) and living costs (terminals, intra-city travel costs, lunch, dinner, etc.) of the missions to other provinces within Turkey will be borne by UNDP. UNDP will arrange flight tickets through its contracted travel agency. In case travel is needed, all travel related costs (cost items indicated below) of these missions out of the duty stations (economy class roundtrip flight ticket and accommodation in 3 or 4-star hotel) will be borne by UNDP. Approval of UNDP is needed prior to the missions.

The costs of these missions may either be;

- Arranged and covered by UNDP CO from the respective project budget without making any reimbursements to the IC or
- Reimbursed to the IC upon the submission of the receipts/invoices of the expenses by the IC and approval of the UNDP. The reimbursement of each cost item subject to following constraints/conditions provided in below table;
- Covered by the combination of both options

The following guidance on travel compensation is provided as per UNDP practice:

Cost item	Constraints	Conditions of Reimbursement
Travel (intercity transportation)	full-fare economy class tickets	1- Approval by UNDP of the cost items before the initiation of travel 2- Submission of the invoices/receipts, etc. by the IC with the UNDP's F-10 Form 3- Acceptance and Approval by UNDP of the invoices and F-10 Form.
Accommodation	Up to 50% of the effective DSA rate of UNDP for the respective location	
Breakfast	Up to 6% of the effective DSA rate of UNDP for the respective location	
Lunch	Up to 12% of the effective DSA rate of UNDP for the respective location	
Dinner	Up to 12% of the effective DSA rate of UNDP for the respective location	
Other Expenses (intra city transportations, transfer cost from /to terminals, etc.)	Up to 20% of effective DSA rate of UNDP for the respective location	

9 PAYMENTS

The contract to be signed between UNDP and successful candidate will **not** entail a financial commitment from UNDP. UNDP's financial commitment will be established on an *ad-hoc* basis every time as services are officially requested by UNDP.

Payment terms and conditions will be specified in the specific service requests. Payment terms and conditions along with the daily fee rate (indicated in the contract) and number of days invested (not to exceed maximum number of days in the service request) will be the basis of payment to the IC.

Payments will be made against submission of the deliverable(s) in the specific service requests by the IC and within 30 days upon approval of such deliverables, Individual Contractor Timesheet and Certification of Payment Form by UNDP.

The maximum total amount to be paid to the Consultant within the scope of this assignment cannot exceed equivalent of 100 person/days.

If any of the deliverables to be stipulated in a specific service request are not produced and delivered by the expert in due time and to the satisfaction of UNDP, no payment will be made even if the expert has invested person/days to produce and deliver such deliverables.

The Individual Consultant shall be paid in TRY if he/she resides in Turkey. If he/she resides in a country different than Turkey, the payment shall be realized in USD through conversion of the TRY amount by the official UN Operational Rate of Exchange applicable on the date of money transfer.

The daily fee to be paid to the Consultant is fixed regardless of changes in the cost components. The daily fee amount should be indicated in gross terms and hence should be inclusive of costs related to tax, social security premium, pension, visa (if needed) etc. UNDP will not make any further clarification on costs related to tax, social security premium, pension, visa etc. It is the Consultant's responsibility to make necessary inquiries on these matters.

Tax Obligations: The IC is solely responsible for all taxation or other assessments on any income derived from UNDP. UNDP will not make any withholding from payments for the purposes of income tax. UNDP is exempt from any liabilities regarding taxation and will not reimburse any such taxation to the IC.