

## **TERMS OF REFERENCE**

### **LOCAL ADMINISTRATION REFORM PHASE III**

#### **INTERNATIONAL INDIVIDUAL CONSULTANCY FOR “DEVELOPMENT OF A PERFORMANCE MANAGEMENT SYSTEM TO BE ADOPTED IN METROPOLITAN MUNICIPALITIES AND DISTRICT MUNICIPALITIES”**

##### **1 BACKGROUND**

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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 10<sup>th</sup> 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 10<sup>th</sup> 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 10<sup>th</sup> 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), MoI 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 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 2014. In addition, the needs for transparent processes at local authorities will be addressed in the scope of Component 2. UMT will be the implementing partner of this Component.

#### **Component 3- Online Management Information Systems Installed and Updated**

The MoI initiated two important databases with YEREL BILGI and BEPER Projects. 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 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.
<p>A.1.1.1. Establish a Support Group on Legislation Drafting Process of MoI and MoEU (SGL) and Consultative Group of Local Authorities (CGLA)</p> <p>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</p> <p>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</p> <p>A.1.1.4. Develop recommendations for amendment of the relevant provisions of the Law No: 3572 and Regulation for Business License</p> <p>A.1.1.5. Develop the standards and principles for the establishment of an effective human resources management system in local administrations</p> <p>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)</p> <p>A.1.1.7. Develop a comparative assessment on effective collection of municipal accounts receivable</p> <p>A.1.1.8. Develop a performance management system to be adopted in MMs and District Municipalities</p> <p>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</p> <p>A.1.1.10. Develop recommendations for the development of a draft legislation regulating the legal and institutional infrastructure of Water and Sewerage Administrations</p> <p>A.1.1.11. Conduct technical visits to 3 EU member states</p> <p>A.1.1.12. Develop recommendations for the development of a secondary legislation (regulation) for honours and ceremonies arranged by local authorities</p> <p>A.1.1.13. Assess the impact born by localizing EU acquis on the work and responsibilities of local authorities in Turkey</p> <p>A.1.1.14. Develop and publish a full comparative assessment study on functioning of the local authorities</p>	<p>A.2.1.1. Assess the impact of the implementation of legislation on local authorities</p> <p>A.2.1.2. Develop a software system for monitoring of the progress against the implementation of reforms in local administration</p> <p>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</p> <p>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</p> <p>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</p> <p>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</p> <p>R.2.2. Institutional capacity of the local authorities in terms of service delivery and adoption of the principles of democratic governance enhanced,</p> <p>A.2.2.1. Develop and implement local service delivery standards in order to simplify the processes for service provision</p> <p>A.2.2.2. Develop and Implement Participatory Local Governance Model for 14 new MMs</p> <p>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</p> <p>A.2.2.4. Develop a policy paper on reforming the Local Government Electoral System and Strengthening of Municipal Councils</p> <p>R.2.3. Public awareness on urbanization enhanced through institutional and individual capacity enhancement programmes,</p> <p>A.2.3.1. Conduct Needs assessment for public awareness on urbanization targeting the disadvantaged groups (population affected by internal migration, youth, women, children)</p> <p>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</p> <p>A.2.3.3. Design and implement capacity enhancement programs on urban awareness to be delivered to selected staff of MM</p>	<p>A.3.1.1 Develop a software to facilitate the communication flow within the departments of the MoEU</p> <p>A.3.1.2. Update of the YEREL BILGI Project management system in the light of developed Software system</p> <p>A.3.1.3. Develop a user-friendly guideline for the use and update of the system</p> <p>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</p>

## 2 OBJECTIVE AND SCOPE OF THE ASSIGNMENT

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The objective of this assignment is to provide a perspective and course of action to be adopted for the effective and coherent design of two project activities as described below and to provide advice on how requirements of these activities can be better formulated and conceptually be related to a Local Government Information System (YEREL BILGI). In this respect scope of the assignment is detailed under to two tasks. This assignment will be undertaken under Component 1 Activity No: 1.1.8 and Component 2 Activity No: 2.1.2 of the Project.

### **Task 1: Review the Project Documents Describing Activity 1.1.8 “Developing Performance Management System to be Adopted by MMs and District Municipalities” and Provide Recommendations for the effective implementation and completion of the activity.**

The description of this activity in the Project Document, envisages development of performance management system for MMs and District Municipalities. The Inception Report, which updates the activity, proposes performance management system to be developed by benefiting from more novel methods such as balanced score cards, but only in generic terms. In addition, performance management systems already in operation by municipalities are still lacking to contribute to the decision-making processes at managerial levels of GDLA and of municipalities. Therefore, there is a need to ascertain whether the description of Activity 1.1.8 in both documents can be best treated under the present day circumstances.

Against this background a clarification is needed to specify further about what would be the best way to approach to this activity by providing a perspective and use the performance management approach as a policy tool which both address the needs of GDLA and individual managers of municipalities. This would perhaps be best analyzed in the context of balanced score card or similar techniques in combination of single and ratio indicators with a dashboard format to assess the overall performance of the municipal system.

In sum, under Task 1, the IC is expected to;

1. Provide an assessment of the current situation and practices in the field of local performance management systems in Europe.
2. Review the relevant parts of the project documents (ProDoc, DoA and IR) and compare the existing descriptions of Activity 1.1.8 in the project documents with the practices in Europe.
3. Based on the review above, propose practical ways of monitoring performances of municipalities and recommend how such system can be formulated, what types of performance indicators are needed, whether it is practical and appropriate to introduce dash-board style balance score cards or similar techniques; so that more compact, policy oriented and user-friendly system can be introduced to keep the track of municipal performance at both central and local level.
4. Based on the analyses and recommendations set out above, make further suggestions to the Project Team to draft ToRs for the experts who will be recruited later on, to conduct the actions under Activity 1.1.8.

### **Task 2: Review the Project Documents Describing Activity 2.1.2 “Develop a software system for monitoring of the progress against the implementation of reforms in local administrations” and Provide Recommendations for the effective implementation and completion of the activity.**

The definition under 2.1.2 rests on the assumption that another activity (2.1.1) which is an impact assessment work, now under progress, would provide some benchmarks to be considered by 2.1.2 to

design a reform tracking software. This is an idea dating back to 2014 when government passed number of legislations and expectations were that such software would have been used to monitor the progress by using such "indicators" that are to be defined once the project starts. Inception report further expands this issue only in general terms. Therefore, consideration should be given to explore the practical ways of monitoring reforms. Reforms here refer to legal changes. There is also an issue whether "legal" reforms can be trackable by number of indicators. It may also be thought that "a wider concept of success" can be formulated and integrated into 1.1.8 to track the "reforms". However, if such approach was to be used, it would be a little problematic to find any causality between the legal changes and their impact by applying number of performance indicators. Activity 1.1.8 would already propose a performance monitoring system. But the activity bears no connection with monitoring of implementation of reforms which are of legal character. To this end, evaluation of such connectivity and adaptation of more practical alternatives would be needed to be explored for the impact of the reforms.

In sum, under Task 2, the IC is expected to:

1. Review definitions of Activity 2.1.2 in the ProDoc, DoA and IR and assess whether they need to be updated under present day circumstances.
2. Consider how far 2.1.2 should be integrated with performance management systems being developed under 1.1.8 by evaluating functionality and relevance of such integration.
3. Propose practical ways of centrally monitoring the impact of reforms (or municipal performance more generally, if found necessary by UNDP), such as citizen perception surveys or similar tools.

While carrying out the tasks defined above, IC is expected to be in close consultation with the software developers and data science experts working on re-design of YEREL BILGI (Local Government Information System) database to understand and provide insights to the extent possible regarding how retrieval of data needs of Task 1 could be conducted in particular and design a perception survey (or similar tools) window under Task 2 can be conceptually integrated into the YEREL BILGI system.

### **3 ACCRONYMS AND ABBREVIATIONS**

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Unless otherwise noted;

- CO: UNDP Country Office in Turkey
- DoA: Description of Action Document
- GDLA: General Directorate of Local Authorities
- IR: Inception Report
- ProDoc: Project Document
- PSB: Presidency of Strategy and Budget
- PT: Project Team
- IC: Individual Consultant
- IDG: Inclusive and Democratic Governance
- LAR: Local Administration Reform
- MMs: Metropolitan Municipalities
- MoI: Ministry of Interior
- MoTF: Ministry of Treasury and Finance
- MoEU: Ministry of Environment and Urbanization

- TAT: Technical Assistance Team
- ToR: Terms of Reference
- UMT: Union of Municipalities of Turkey
- UNDP: United Nations Development Programme
- YEREL BILGI: Local Government Information System

## **4 INSTITUTIONAL ARRANGEMENTS**

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### **4.A. DUTIES AND RESPONSIBILITIES OF THE INDIVIDUAL CONSULTANT**

At the beginning of the assignment, the IC will do a desk study about the present-day local performance management systems available in Europe. This study will also cover a review of ProDoc, DoA and IR as described under the definitions of Task 1 and Task 2. Review will also include the analysis of revised Strategic Planning Guideline for Local Governments prepared by PSB. Later on, the IC will visit Ankara for a factfinding study and hold number of meetings with project partners (MoI, MoEU, MoTF and UMT), selected municipalities and project experts to assess and identify main challenges, strengths and weaknesses faced by GDLA and municipalities in managing local performance management system and learn their expectations and needs.

As a result of the desk review and factfinding visit, the IC will develop a Final Recommendations Report. Report will contain:

- 1- Recent developments and practices at local level in Europe, in terms of performance management and reform tracking methods,
- 2- Review of activity definitions of 1.1.8 and 2.1.2 and assess their validity under present day circumstances as described under Article 2 of this Terms of Reference, as well as providing third party view about Strategic Planning Guideline for Local Governments,
- 3- Based on the outcome of interviews during fact finding visit, an account of the current practices of performance management system in Turkey and needs for improvement which can be considered in design of more refined but compact performance management system (such as balanced score cards) and reform tracking system under 1.1.8 and 2.1.2 as described in Article 2,
- 4- The recommendations to provide perspectives about integration of data needs of the performance management system and reform tracking tool into the YEREL BILGI system as described under Article 2,
- 5- Further recommendations for the project team for drafting ToRs for experts to be engaged within the scope of Activity 1.1.8.

### **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.

## 5 DELIVERABLES

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The Assignment will include interim and final deliverables, as stipulated below. The below table indicates required deliverables and time-table:

Activities	Deliverables	Indicative Due Dates	Estimated Number of Person/days to be Invested by the IC	Place of Work
Deskwork	N/A	February 5 <sup>th</sup> , 2020	2	Home-based
Factfinding visit	N/A	February 13 <sup>th</sup> , 2020	4	Ankara
Report on Findings and Recommendations about Performance Management and Reform Tracking System for Turkish Local Governments	Final Recommendations Report	February 28 <sup>th</sup> , 2020	2	Home-based
Estimated Maximum Total Number of Person/Days			8	

**Reporting Language:** All reports should be submitted in English. The final version of the main reports will be translated into Turkish by UNDP for the convenience of beneficiary institutions.

**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 Consultant 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.

## 6 ESTIMATED INPUTS BY THE INDIVIDUAL CONSULTANT (IC)

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IC is expected to invest (**at maximum**) 8 person/days during the contract period. The Individual Consultant will carry out the above activities/deliverables to the satisfaction of UNDP. The Individual Consultant will report to the Project Manager of Local Administration Reform Phase III Project and will work in close collaboration and consultation with the TAT.



## **7 MINIMUM QUALIFICATION REQUIREMENTS**

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

### **General Qualifications**

- University degree in public administration, economics, public finance, international relations, political science, law, city & regional planning or other fields of administrative & social sciences and other relevant disciplines
- Advanced degree in related fields listed above will be an asset
- Excellent reporting skills
- Good command of spoken and written English

### **General Professional Experience**

- Minimum 20 years of general professional experience
- Professional experience in working for international institutions/organizations will be an asset.

### **Specific Professional Experience**

- Hands-on managerial and practical experience in managing local governments entities
- Proven experience in design and development of performance management systems and design of balanced score cards, citizen surveys or similar techniques
- Paper or policy report preparation or strategic advice development will be an asset

### **Notes:**

- . Internships (paid/unpaid) are not considered professional experience.
- . Obligatory military service is not considered professional experience.
- . Professional experience gained in an international setting is considered international experience.
- . Female candidates are encouraged to apply.

## **8 TIMING AND DURATION**

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The Assignment is expected to start on February 3<sup>rd</sup>, 2020 and is expected to be completed by March 28<sup>th</sup>, 2020.

## 9 PLACE OF WORK

Duty Stations for this assignment are Home-based and Ankara, Turkey. It may be expected that the Consultant travels within the scope of this Terms of Reference. In case travel is needed, all travel related costs (cost items indicated below) of these missions out of the Duty Stations (economy class 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 consultant or
- Reimbursed to the consultant upon the submission of the receipts/invoices of the expenses by the consultant 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 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 consultant 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	

## 10 PAYMENTS

The payment will be made within 30 days upon acceptance and approval of corresponding Final Report by UNDP on the basis of payment terms indicated below and the pertaining Certification of Payment document signed by the consultant and approved by the responsible Project Manager.

Deliverables	Target Date for Submission of Deliverables to UNDP	Estimated Number of Person/days to be Invested by the IC	Payment Terms
<b>Final Recommendations Report</b>	February 28 <sup>th</sup> , 2020	8	Upon submission and completion of all pertaining deliverable/outputs to the satisfaction of UNDP and on the basis of actual number of person/days invested (not to exceed the maximum person/days defined by UNDP)
<b>Estimated Maximum Total Number of Person/Days</b>		<b>8</b>	

The total amount of payment to be affected to the Consultant within the scope of the contract cannot exceed equivalent of 8 person/days. The consultant shall be paid in USD if he/she resides in a country different than Turkey. If he/she resides in Turkey, the payment shall be realized in TRY through conversion of the USD amount by the official UN exchange rate valid on the date of money transfer.

If the deliverables are not produced and delivered by the consultant to the satisfaction of UNDP as approved by the Project Manager, no payment will be made even if the consultant has invested person/days to produce and deliver such deliverables.

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 applicants' 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.