

## INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: 26 March 2020

<b>Post Title:</b>	<b>Consultancy-Legal Expert, Legal Advice on Water and Environmental Regulations</b>
<b>National or International Consultants:</b>	<b>International Consultant</b>
<b>Duration:</b>	<b>One year</b>
<b>Location:</b>	<b>Riyadh, Saudi Arabia Head Office, Ministry of Environment, Water and Agriculture</b>
<b>Project:</b>	<b>Capacity Development and Related Services for an Integrated Sustainable Development and Management of the Water Sector in the Kingdom of Saudi Arabia in the framework of the VISION 2030</b>
<b>Note</b>	This consultancy assignment will be under Ministry of Environment, Water and Agriculture (MEWA). UNDP is facilitating in disseminating the advertisement as counterpart to the MEWA. The consultant will be hired under MEWA contract. However, UNDP will also act as a sponsor and provide the required residence and working permit. Working place will be the MEWA Headquarter in Riyadh. The Project duration is 2 years, there is a possibility for extension for additional one year.

### CONTEXT/BACKGROUND:

During the last years, the Ministry of Environment, Water and Agriculture initiated an ambitious program for the investigations of its major surface and groundwater resources, for the monitoring of these resources, for the study of hydrological resources (research side), and for the management of the resources including the distribution network and control of water consumption (management side). While most of these tasks have been completed or are about to come to an end, the implementation of most of the necessary measures is in its very early stages and hampered by the increasing workload in the ministry.

For the transition from the current patterns of water administration to future professional water management, the technical and organizational capacities of the MEWA have to be strengthened. In addition, a rigid framework of regulations and standards has to be implemented.

Together with UNDP, a program has been designed to initiate a systematic process of capacity development to help in sustainable development and protection of all water resources. Through this program, several experts with expertise in a wide spectrum of project-related fields will be hired. This service contract is part of this program.

### SCOPE OF WORK AND DELIVERABLES

#### Objective within the Framework of the UNDP Project

The Kingdom of Saudi Arabia has recently passed the National Water Strategy 2030, which intends, among others, to regulate water abstraction, supply, and demand from all water resource. This process has to be accompanied by the corresponding set-up of standards, regulations, and enforcing mechanisms. Hence, MEWA has asked UNDP to select an Expert with profound knowledge in water regulations and the Saudi legal system to set up the regulatory framework for the entire process. This framework is being developed

in the General Directorate of Regulations of MEWA, but also needs coordination and cooperation with other governmental and private sector entities, especially the Deputy Ministry of Environment.

### Scope of Work of the UNDP Expert within the Framework of this Project

The tasks and responsibilities of the UNDP Expert are to:

- To advice on all legal matters of the General Directorate of Regulations;
- To legally advice the elaboration of bylaws, regulations, and implementary regulations wherever needed.
- To coordinate these elaborations with similar activities in other governmental and private sector entities, specially the Deputy Ministry of Environment and ECRA (Electricity & Co-Generation Regulatory Authority).
- To legally advice on the respond to reclamations, complaints, queries and alike from the public.

### EXPECTED KEY DELIVERABLES

- Comprehensive licensing scheme for the water sector.
- Legal framework for Enforcement mechanisms

### Expected Output 1st year

- Comprehensive Licensing schemes for resources abstraction
- Legal framework for Enforcement mechanisms.

#### Reporting requirements, frequency, format and deadlines

- The Consultant will report directly to the CTA. Together, they will develop a mutually agreed upon quarterly work plan with key milestones and KPIs. The Consultant will submit a quarterly progress report against these milestones.

<b><i>Deliverables/Outputs</i></b>	<b><i>Estimated Duration to Complete</i></b>	<b><i>Review and Approvals Required</i></b>
<b><u>Output 1:</u></b> After successful delivery of Outputs 1.	Quarterly	CTA - Ministry of Environment, Water and Agriculture.
<b><u>Output 2:</u></b> After successful delivery of Outputs 2.	Quarterly	CTA - Ministry of Environment, Water and Agriculture.
<b><u>Output 3:</u></b> After successful delivery of Outputs 3.	Quarterly	CTA - Ministry of Environment, Water and Agriculture.
<b><u>Output 4:</u></b> After successful delivery of Outputs 4.	Quarterly	CTA - Ministry of Environment, Water and Agriculture.

**Duration of Assignment:** Total contract duration is 12 calendar months. With a possibility for extension based on the need, performance and funds availability.

**Duty Station and Expected Places of Travel, if any:** The assignment will be based in Riyadh, Saudi Arabia at Head Office, Ministry of Environment, Water and Agriculture.

### INSTITUTIONAL ARRANGEMENTS

**Reporting Requirements, Frequency, Format and Deadlines:** The Consultant will report directly to CTA - Ministry of Environment, Water and Agriculture. They will develop a mutually agreed monthly deliverable activity plan with appropriate timelines. The Consultant will submit a quarterly progress report against

the agreed activity plan on a mutually agreed template. To carry out the work, the consultant is expected to liaise with government partners.

#### **Working arrangements:**

- All mission travels must be approved in advance and in writing by the Supervisor;
- United Nations Development of Safe and Security – BSAFE course must be successfully completed prior to commencement of travel; <https://www.undss.org/>
- The Consultant is responsible for ensuring they have vaccinations/inoculations when travelling to certain countries, as designated by the UN Medical Director;
- The consultant is also required to comply with the UN security directives;
- The consultant is responsible for obtaining any visas needed in connection with travel with the necessary support from UNDP;
- The consultant will be responsible for making his/her own mission travel arrangements in line with UNDP travel policies;
- The consultant is responsible for required health and life insurances related to work or travel;
- The consultant is expected to have his/her own Laptop/Computer.

#### **QUALIFICATIONS and REQUIREMENTS**

**Education:** Master of Laws (L.L.M) degree in Common and Statutory – a relevant multi-disciplinary background is considered useful;

- Master of Business Law is a powerful advantage;

#### **Experience:**

- At least 10 years of experience in water-related legal issues.
- Profound knowledge of International water- and environmental regulations and standards.
- Experience in safe water standards, water contaminants, and water pollution with additional certification in water quality.

#### **Languages:**

- English, excellent communication and writing skills in English; as the position implies frequent contact with local authorities, also excellent communication and writing skills in Arabic are required.

#### **Competencies:**

##### **Core Competencies:**

- Strategic planning
- Innovation
- Organizational Awareness
- Developing and Empowering People / Coaching and Mentoring
- Works effectively in Teams
- Clear and concise communication
- Ethics and Values
- People Management

##### **Functional Competencies:**

##### **Technical/ Functional:**

- Strong knowledge and expertise in civilian policing aspects
- Builds support and good judgment
- Strong analytical capacities and ability to synthesize complex inputs into coherent documents
- Change agent including the ability to convince, convey and advocate.

##### **Managerial:**

- Focuses on impact and result for the client
- Coordinates/collaborates with all key stakeholders and build strong networks/ partnerships

- Effective team leadership with strong conflict resolution skills
- Establishes priorities for self and other members of the team; schedules activities to ensure optimum use of time and resources
- Demonstrates excellent oral and written communication skills

**Behavior:**

- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability
- Treats people fairly without favoritism
- Consistently approaches work with energy and a positive, constructive attitude

**PRICE PROPOSAL AND SCHEDULE OF PAYMENTS**

PRICE PROPOSAL AND SCHEDULE OF PAYMENTS (Standard text - do not change)

The contractor shall submit a price proposal as below:

Daily Fee – The contractor shall propose a daily fee, which should be inclusive of his/her professional fee, local communication cost and insurance (inclusive of medical health insurance and evacuation).

Travel and Visa – The contractor shall propose an estimated lump-sum for Home-Riyadh-home travel (economy most direct route) and Saudi Arabia visa expenses.

The total professional fee shall be converted into a lump-sum contract and payments under the contract shall be made on submission and acceptance of deliverables under the contract in accordance with the schedule of payment linked with deliverables

All proposals must be expressed in a lump sum amount. This amount must be “all-inclusive”. Please note that the terms “all-inclusive” implies that all costs (professional fees, travel costs, living allowances, communications, consumables, etc.) that could possibly be incurred are already factored into the final amounts submitted in the proposal.

The contractor will be paid an all-inclusive Deliverables/Outputs based lump sum amounts over the assignment period, subject to the submission of Certification of Payment (CoP) duly certified and confirmation of satisfactory performance of achieved work (deliverables/outputs) in line with the schedule of payments table hereunder:

Payment	Deliverables/Milestones	Schedule
Monthly Payment	Monthly payment upon submission and acceptance of monthly working plan and successful delivery of outputs	Monthly

\*\* The CTA - Ministry of Environment, Water and Agriculture shall certify and authorize all payment instalments and accompanying payment invoices prior to payment.

\*\*For each payment a certification of payment shall be signed and approved by The CTA - Ministry of Environment, Water and Agriculture attached to it explaining the accomplishment of the deliverables corresponding to the respective quarterly progress report.

Reimbursement costs/ travel costs will be paid on the basis of actual expenditure and should not exceed the approved amount in the contract calculation sheet.

**RECOMMENDED PRESENTATION OF OFFER**

Interested individual consultants must submit the following documents/information to demonstrate their qualifications. Candidates that fail to submit the required information will not be considered.

- Duly accomplished **Letter of Confirmation of Interest and Availability** using the template provided by UNDP;

- b) **Personal CV 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;
- c) **Brief description** of why the individual considers him/herself as the most suitable for the assignment, including references to how she/he will approach and complete the assignment.
- d) **Financial Proposal** that indicates the all-inclusive total contract price, supported by a breakdown of costs, as per template provided. The terms “all-inclusive” implies that all costs (professional fees, travel costs, living allowances, communications, consumables, etc.) that could possibly be incurred are already factored into the final amounts submitted in the proposal. If an Offeror is employed by an organization/company/institution, and he/she expects his/her employer to charge a management fee in the process of releasing him/her to UNDP under Reimbursable Loan Agreement (RLA), the Offeror must indicate at this point, and ensure that all such costs are duly incorporated in the financial proposal submitted to UNDP.

All necessary information including: Complete Procurement Notice, The Selection Criteria, and Annexes are found on the following link under Procurement <http://procurement-notices.undp.org/>

## **EVALUATION**

Individual consultants will be evaluated based on the following methodologies:

### **Step 1: Screening and desk review:**

Individual consultants will be evaluated based on the following methodology.

Applications will be first screened and only candidates meeting the following minimum criteria will progress to the pool for shortlisting:

- Master of Laws (L.L.M) degree in Common and Statutory – a relevant multi-disciplinary background is considered useful
- At least 10 years of experience in water-related legal issues.

**Shortlisted Candidates will be then assessed and scored against the following evaluation criteria.**

### ***Step 2: Technical Criteria – Maximum 70 points***

#### **Qualification and Experience (40 points) [evaluation of CV]:**

General Qualification;

- At least 10 years of experience in water-related legal issues.
- Profound knowledge of International water- and environmental regulations and standards.
- Experience in safe water standards, water contaminants, and water pollution with additional certification in water quality.

#### **Interview (30 points);**

The panel may select 3-5 candidates for interview, whom obtained high score depending on the number of applicants.

***\* Technical Criteria: weight 70% and Financial Criteria weight 30%***

***Only candidates obtaining a minimum of 49 points (70% of the total technical points) would be considered for the Financial Evaluation.***

**Financial proposal – Maximum 30 points**