



Unlocking Public and Private
Finance for the Poor

Annex 1

Terms of Reference

For Master Planning of Gambia River Basin,
Technical Assistance and Legal Review of
Gambia River Basin Development
Organization

<https://uncdf.link/bluepeace>

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1. About this document

This document is meant to provide high level context and background information needed to get a better understanding of the Blue Peace program, this Request for Proposal (RFP) and its Terms of Reference (ToR). The Terms of Reference are in Annex 2: Terms of Reference of the Master Plan for the Integrated Development of the Gambia, Kayanga-Geba and Koliba-Corubal River Basins. However, they are also explained below.

2. Background

2.1. Rationale for the Request for Proposal

UNCDF is a United Nations agency which makes public and private finance work for the poor in the world's 47 least developed countries. With its capital mandate and instruments, UNCDF offers "last mile" finance models that unlock public and private resources, especially at the domestic level, to reduce poverty and support local economic development.

UNCDF has partnered with the Swiss Agency for Development and Cooperation (SDC) to launch a new programme called Blue Peace Financing (Blue Peace). Blue Peace supports countries and different communities to foster peaceful cooperation in sharing water resources. The majority of water resources globally exist across borders in the form of rivers, lakes, or aquifers etc. For example, in Africa 80% of freshwater resources cross sovereign borders. Historically, water has been a major source of conflict as societies competed on the ownership of water resources.

Blue Peace encourages the formation of shared institutions and legal frameworks which bring countries together in commitment to resolve differences over water resources peacefully – and to use their shared water as a foundation for wider economic and diplomatic collaboration. Blue Peace turns competition over limited freshwater resources into collaboration, resulting in more peaceful, cohesive and sustainable societies.

The aim of Blue Peace Financing mechanism is to create financing and technical assistance incentives in order to promote transboundary water cooperation. The pilot phase of Blue Peace Financing mechanism is currently under way in West Africa. In 1978 three riparian countries, Guinea, Senegal, and the Gambia agreed to share the water resources of the Gambia River Basin. River Basin Organization (RBO) was created to manage the Gambia river basin as a resource on behalf of the member countries: the Gambia River Basin Development Organization (OMVG). 1983 Guinea-Bissau joined the OMVG as the fourth member state. A few years later the mandate of the OMVG was extended to the Kayanga-Geba and Koliba-Corubal river basins.

When a water resource such as a river is shared with more than one country, investments in that river basin tend to follow the administrative nature of the countries. Since an RBO is a supra-national entity, in most regions, does not have direct access to international capital markets. Currently, there is no financial instrument that could channel financing directly to an RBO such as the OMVG. As of today, OMVG derives its financial resources for its projects mainly from individual member state contributions. The process is usually slow and from the investment perspective inefficient, resulting in a complex web of conditionalities and contracts. At the same time, since the four member countries of the OMVG are developing countries with different limits on the level of borrowing at the sovereign level, the investment programme of OMVG has been lagging due to the lack of investment capital.

The Blue Peace Financing mechanism aims to innovate and to create new pathways to access financial capital for investments in transboundary and multisectoral water cooperation. Specifically, Blue Peace

advocates for investments to be channelled directly to RBOs. The development of transboundary and multisectoral Joint Investment Plans lies at the core of this innovative approach. However, joint investment plans are themselves the product of a masterplan. Therefore, the starting point of having a functional and effective RBO is for the organization to develop a basin wide integrated masterplan that is inclusive and has been approved by the riparian countries. For the pilot case, Blue Peace Financing programme is committed to supporting OMVG to develop the Masterplan for the Integrated Development of the OMVG River Basins. The Masterplan will produce a joint investment plan based on the river ecology, riparian countries investment priorities and the local community's benefits. Furthermore, the joint investment plan will produce an investment program made up of projects that are investable regardless of their physical location or sectorial orientation.

In this context, UNCDF is launching this Request for Proposal with an intention to identify a technical partner (that may be consortium of companies) that would be able to meet the requirements of UNCDF and its Blue Peace Partners to support OMVG as described in the attached Terms of Reference document: [Annex 2: Terms of Reference of the Master Plan for the Integrated Development of the Gambia, Kayanga-Geba and Koliba-Corubal River Basins](#) and sections 3.1 and 3.2 below.

2.2. About UNCDF

UNCDF is a United Nations agency with a mandate to primarily support the world's 47 least developed countries (LDCs)¹ with their development journey. With its capital mandate and instruments, UNCDF designs finance models to unlock both public and private resources to reduce poverty and support local economic development. UNCDF is trying to reach pockets of poverty where available resources for development are scarcest; and where financial markets are not fully developed, resulting in skewed benefits from national growth to the few while excluding large parts of the population.

UNCDF has been instrumental in advancing the 2030 Agenda and the Sustainable Development Goals (SDGs) predominantly in LDCs, and in cooperation with local governments as well as with private sector actors. UNCDF now intends to increase its investments by initiating a partnership with a partner who can support the technical needs of its recipient of Development Finance, OMVG, which would aim to catalyse more funding for achieving the SDGs from both public and private sources. UNCDF may use a combination of grant, reimbursable grant, loans and guarantees to support early-stage innovative financing models and to seed transformational investment projects.

2.3. About the Blue Peace Movement

Blue Peace is a growing global movement aiming at developing a culture of peace and fostering the preservation of the precious resources of fresh water while achieving the equitable and sustainable use of water across boundaries, sectors and generations. The Blue Peace Movement is about the creation of a new development and political space for those who believe in an open and mobile society. Its vision is to move towards a sustainable, integrated, cross-sectoral and transboundary management of water for people and planet, leading to prosperity and peace. It does so by using water as an entry point for transboundary and cross-sectoral cooperation as well as impact investing. The Blue Peace Movement brings a cooperative approach, which is more relevant than ever at a time when population growth, rapid urbanization and industrial expansion are putting increasingly more pressure on water supplies. This

¹ Least developed countries (LDCs) are low-income countries confronting severe structural impediments to sustainable development. They are highly vulnerable to economic and environmental shocks and have low levels of human assets. They comprise more than 880 million people (about 12 per cent of world population), but account for less than 2 percent of world GDP and about 1 percent of global trade in goods.

Their low level of socio-economic development is characterized by weak human and institutional capacities, low and unequally distributed income and scarcity of domestic financial resources. LDCs are determined by three criteria: (1) Gross National Income (GNI) per capita (2) level of health and education and (3) structural vulnerability to economic and environmental shocks.

pressure is growing even faster since less than 2% of wastewater in the world is recycled, while ecosystems are being disrupted by the impact of climate change (Wennubst, et al., 2020).

In 2015, Switzerland came together with 14 other countries to set up the Global High-Level Panel (Panel) on Water and Peace with the [Geneva Water Hub as its Secretariat](#). With this Panel, the Blue Peace initiative has grown to a multi-stakeholder global movement. In 2017, the Panel published its final report '[A Matter of Survival](#)' with specific recommendations on how to promote water as instrument for cooperation and peace, including a recommendation on financial innovation for water cooperation.

The Blue Peace Financing Mechanism is an attempt to implement this recommendation on financial innovation for water cooperation by creating new ways for regional, sub-regional and local (non-sovereign) entities to access financial capital for investments in transboundary and multisectoral water portfolios.

Blue Peace has many contributors, for further information see the website: <https://www.thebluepeace.org>.

2.4. About the Gambia River Basin Organization

The OMVG was created in 1978 and its member states comprise The Gambia, Guinea, Guinea-Bissau, and Senegal. The High Commission is the implementing agency of integrated development programmes adopted by member countries for the rational and coherent exploitation of shared resources in the Gambia, Kayanga-Geba and Koliba-Corubal river basins.

The main mission of the OMVG is the rational and harmonious exploitation of the common resources of the Gambia, Kayanga-Geba and Koliba-Corubal river basins. To do this, it must achieve energy and food self-sufficiency, promote transport channels, reduce the vulnerability of Member States' economies to climate hazards and preserve the balance of ecosystems in the sub-region and more particularly in the watersheds of the three rivers. It must also promote and undertake studies and development work on the three basins (OMVG, 2020).

3. Overview of Terms of Reference

This section below is meant to provide an overview of the three components of this Request for Proposal's Terms of Reference.

3.1. The Objective of the Request for Proposal

The objective of this RFP is to identify a consulting partner (or consortium) that will support OMVG (as a recipient of Development Financing from the Blue Peace Financing Programme) on three areas:

- i) **Lot number 1. Main deliverable - Masterplan:** To develop a **modern, digital based, integrated masterplan** and its first joint investment plan. This is the main deliverable of this assignment. To get a detailed understanding of the Terms of Reference, Service Providers are expected to read [Annex 2: Terms of Reference of the Master Plan for the Integrated Development of the Gambia, Kayanga-Geba and Koliba-Corubal River Basins](#),
- ii) **Lot number 2. Sub deliverable - Technical Assistance:** To provide **technical assistance support** in the areas needed for OMVG to:
 - a. Bring its capacity to the level that will be able to deliver its services to the member states in an efficient way.
 - b. Be able to respond to the requirements of the new Masterplan.

The scope of the Technical Assistance program should cover at the minimum the following areas of the organization:

- i. Strategic Planning and Engineering,
- ii. Finance and Investment,
- iii. Environmental Management,
- iv. Infrastructure Planning,
- v. Project Design
- vi. Supervision of Infrastructure delivery

Target initiation and completion of the Technical Assistance work is expected to be at the same time with that of the Masterplan development.

The Service Provider for this Lot **MUST BE** distinct from the entity that will develop the Masterplan but may or may not be the same as the Service Provider for Lot 3.

All other aspects of this lot (i.e. Institutional arrangement, Location of work, Qualification of the successful Service Provider, evaluation process and the criteria of selection) will be consistent with the Sections 4-9 of this document and the information in the RFP document. The method of selection of Service Provider for this Lot shall be the same as the Request for Proposal process for all other lots.

- iii) **Lot number 3. Sub delivery - Legal Review:** To provide **legal review** of its existing institutional and legal frameworks. The work intends to improve the functioning of the OMVG organization and its ability to implement the new masterplan.

The Legal Review scope should cover at the minimum the following areas:

- i. An analysis of the existing OMVG's institutional and legal framework.
- ii. An analysis of the related regulatory and legislative environment in the countries which OMVG operates in. The focus is on the legislative that is relevant to OMVG functions.
- iii. Provide recommendations on the institutional improvements of OMVG's legal framework based on the analysis of part (I & II) above, taking into consideration its future plans. The aim for this improvement is to allow OMVG to be able to create, structure, and invest in its projects that will originate from the masterplan in lot 1. In order to implement the new Masterplan OMVG needs to attract both financial and non-financial resources.
- iv. Provide a final actionable report that will allow the recommendations to be implemented.

Target completion of the Legal Review work is expected to be not later than the completion of Masterplan development. The report of the legal review and its recommendation is expected to accompany the Masterplan in the final submission. The timeline of the Lot 3 is expected to not be more than 3 months.

The Service Provider for this Lot **MUST BE** distinct from the entity that will develop the Masterplan but may or may not be the same as the Service Provider for Lot 2. All other aspects of this lot (i.e. Institutional arrangement, Location of work, Qualification of the successful Service Provider, evaluation process and the criteria of selection) will be consistent with the Sections 4-9 of this document. The method of selection of Service Provider for this Lot shall be the same as the Request for Proposal process for all other lots.

3.2. Output Criteria Overview

The outputs can be split into three main components:

- i) **Lot number 1. Main deliverable - Masterplan:** A fully vetted and approved masterplan of the above-mentioned three river basins. This will also include a joint investment plan as indicated in the Masterplan's Terms of Reference herein attached as Annex 2. The Masterplan will be delivered in both digital and paper formats. The Masterplan process will follow all international standards of producing a transboundary river basin masterplan. There are multiple mandatory reports for this component. These are covered in detail in Section 7.2 (Reports) of Annex 2.
- ii) **Lot number 2. Sub deliverable - Technical Assistance:** A well-designed and fully implemented Technical Assistance programme. The implementation of the Technical Assistance Programme by the successful bidder will be conducted in concurrence with the development of the masterplan. The development of the Masterplan will be used to build the capacity of OMVG as a beneficiary of the project to allow the organization to develop masterplans on their own by re-creating the process and steps underwent to produce this masterplan as well as to share best practices and lessons learned from the masterplan component of this terms of reference. The Technical Assistance programme will also be supporting OMVG to be able to respond to the requirements needed for the lot 1: Masterplan.
- iii) **Lot number 3. Sub delivery - Legal Review:** A Legal Review Report which outlines the basis for OMVG's institutional reforms that will allow the organization to gain direct access to financial and non-financial resources in order to deliver the benefits that the river basin accords to its member states.

3.3. The role of UNCDF

UNCDF will be the financing party for the successful Service Provider from this RFP. Furthermore, it will provide support needed for the identified technical Service Provider (s) to discharge the three main objectives as described in section 3.1 and 3.2. UNCDF will support the partner with logistical coordination together with OMVG, and on-the-ground coordination with local communities and stakeholder sensitization that is needed in order to develop the Masterplan, coordinate the Technical Assistance and deliver the outputs described in section 3.2 in a satisfactory and timely manner.

3.4. Milestones and Payment Schedule

3.4.1. Lot number 1. Main deliverable – Masterplan

Additional details on the milestone and what each one entails may be found in Annex 2. Milestone and payment for the Masterplan are as follows:

Payment Number	Milestone	Estimated Time of Submission	Payment as a percentage of total contract value, to be disbursed upon written acceptance by the Chairperson of the Steering Committee
1	Signing of contract		10%
	Initial report and description of the	1 st Month	

	methodology and Phase 1 schedule		
	Provisional report of Phase 1 (including validation)	3 rd month	
2	Final report for Phase 1 (including validation)	4 th month	25%
	Provisional report of Phase 1 (including validation)	7 th month	
3	Final report for Phase 2 (including validation)	8 th month	30%
	Provisional report of Phase 3 (including validation)	11 th month	
4	Final report for Phase 3 (including validation)	12 th month	35%
Total			100%

*the phases are as described in Annex II, Section 5.4 Page 10 onwards. Payments will be done on the final report basis per phase.

3.4.2. Lot number 2. Sub deliverable - Technical Assistance

Milestone and payment for the Technical Assistance are as follows:

Payment Number	Milestone	Estimated Time of Submission	Payment as a percentage of total contract value to be disbursed upon written acceptance by the Chairperson of the Steering Committee
1	Signing of contract		10%
	Initial report and description of the methodology and Phase 1 schedule	1 st month	
2	Final report for Phase 1, detailing TA activities performed and schedule of Phase 2. (including validation)	4 th month	25%
3	Final report for Phase 2 detailing TA activities performed and schedule of Phase 3. (including validation)	8 th month	30%
4	Final report for Phase 3	12 th month	35%

	(including validation)		
Total			100%

Please note that these milestones coincide with the phases of the Masterplan. However, the reports here refer to the Technical Assistance reports.

3.4.3. Lot number 3. Sub delivery - Legal Review:

Milestone and payment for the Legal Review are as follows:

Payment Number	Milestone	Estimated Time of Submission	Payment as a percentage of total contract value to be disbursed upon written acceptance by the Chairperson of the Steering Committee
1	Signing of contract		10%
	Initial report and description of the methodology to be used.	1 st month	
2	Draft of initial reports	2 nd moth	40%
3	Final reports (including validation)	3 rd month	50%
Total			100%

4. Institutional Arrangements

4.1. Managing the Project

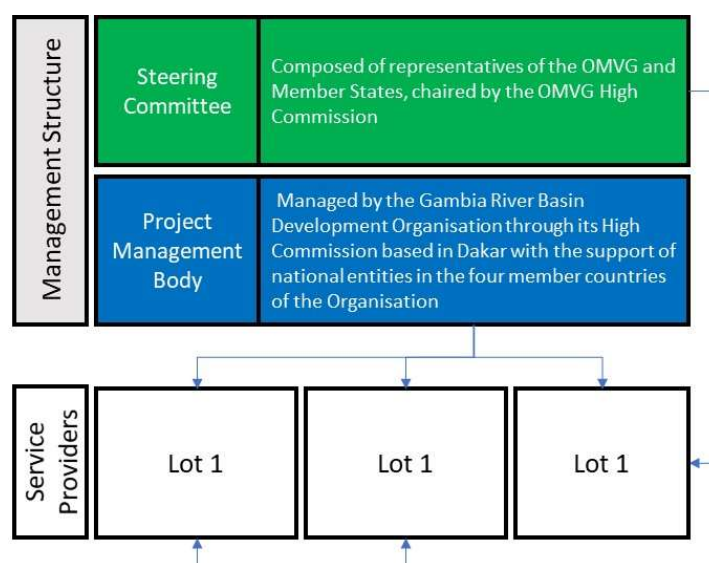
In this section, all three lots are described collectively as “the project” and will be governed by the same Management Structure. This is based on Annex 2 Section 9.

The Project will be managed by the Gambia River Basin Development Organisation (OMVG) through its High Commission based in Dakar with the support of national entities in the four member countries of the Organisation (The Gambia, Guinea, Guinea-Bissau and Senegal) and UNCDF.

The High Commissioner, as the project owner, will be responsible for supervising all three components of the project: Masterplan Development, Technical Assistance and Legal Review. The High Commissioner will also ensure that Member States, through their experts, are involved in the design and implementation of this masterplan. The High Commissioner will set up two level Management Structure: The Project Management Body and The Steering Committee. UNCDF will be supporting the Project Management Body by providing technical personnel to directly support OMVG capacity of managing the project. Therefore, OMVG management under the leadership of the High Commissioner will be responsible for the day to day management of the Service Providers.

Steering Committee will be set up and composed of representatives of the OMVG and Member States, chaired by the OMVG High Commissioner. The work of the steering committee will be to oversee the management of masterplan development, the effectiveness of the technical assistance and the legal review. In this supervision, the management unit will be required, as and when necessary, to call on

specialists in various fields in order to obtain their opinions and recommendations. The OMVG will provide the Service Providers with all the necessary and available technical information for a successful performance of the assignment. It will also provide administrative support within the entire study area (within its four Member States). In addition, the Chairperson of the Steering Committee is responsible for certifying the acceptance of the outputs and for authorizing the disbursement of payments. Upon receiving the certification of from the Steering Committee, UNCDF will disburse the payments as per schedule and milestones in section 3.4 above.



5. Location, Duration and Commencement of Work

5.1 Location of Work

The Service Providers are expected to work primarily from Dakar, Senegal. A specific office space will be allocated for the Service Providers within the Head Office of OMVG. The Service Providers are expected to travel within the four member countries of the OMVG: The Gambia, Guinea, Guinea-Bissau and Senegal.

5.2 Duration of Work

The expected duration of the contract will be for a period of one (1) year as noted in Annex 2 Section 6 (Reporting and Implementation Schedule). However, due to the COVID-19 impact, from a tendering perspective, the RFP document states in Section 3. (Bid Data Sheet part 19) that the “maximum expected duration of the contract” will be for a period of two (2) years. This additional year is subject to section 9 of this document.

5.3 Commencement of Work

The expected date of commencement is indicated in the RFP document in Section 5. (Bid Data Sheet) as item number 18 of the BDS no. field. The date expected to start is August 1st, 2020.

6. Service Provider Qualification

The qualifications of the successful Service Providers are indicated in the RFP document in Section 4. (Evaluation Criteria). This covers the Preliminary Examination Criteria, Minimum Eligibility and Qualification Criteria, and the Technical Evaluation Criteria.

7. Reporting requirements

UNCDF will require quarterly narrative and financial reports to be submitted. UNCDF may request additional reporting when necessary. All reports are expected to be in a written format. The reporting format for OMVG is noted in Annex 2 Section 6 (Reporting and Implementing Schedule) as well in other parts of that document.

8. Output review and payment

The output of the successful Service Providers must be accepted by the Steering Committee noted in Annex 2 Section 9 (Institutional Framework) and in section 4 of this document. Upon the confirmation form that body that the deliverables have been accepted, UNCDF will dispersed the payments.

9. Extensions

Subject to the approval of UNCDF a time extension may be approved for the implementation of any of the three lots without any additional costs, provided the delays are justified and are not directly attributable to the performance of the Service Providers. If specified in Bid Data Sheet in the Request for Proposal document. This extension is subject to the approvals of both OMVG's Steering Committee and UNCDF.

10. Annex Documents

Annex 2: Terms of Reference of the Master Plan for the Integrated Development of the Gambia, Kayanga-Geba and Koliba-Corubal River Basins.

References

OMVG. (2020, April 18). *Gambia River Basin Development Organization (OMVG)*. Retrieved from OMVG Website: <https://www.omvg.org/>