

# Terms of reference



Empowered lives.  
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## GENERAL INFORMATION

**Title:** *Legislative Review and Gap Analysis in Support of an Integrated Water Resource Management (IWRM) Approach and draft Legislation to Support the Implementation of the National Water Sector Policy and Implementation Plan 2019*

**Project Name:** *Strengthening Human Security in Northern Clarendon and West Kingston*

**Reports to:** *Resident Representative*

**Duty Station:** *Jamaica*

**Expected Places of Travel (if applicable):** *Not applicable*

**Duration of Assignment:** *30 days*

## REQUIRED DOCUMENTATION FROM CONTRACTOR

X	Letter of presentation highlighting main qualifications and experience relevant to this TOR; CV and Signed P11
X	Copy of Education Certificates
X	Completed Technical Proposal
X	Completed Financial proposal

## I. BACKGROUND

Many communities in Jamaica are vulnerable and face challenges due to multiple human insecurities. The Government of Jamaica (GOJ) is committed to addressing these human insecurities in order to promote social and economic development while protecting the natural environment as articulated in the Vision 2030 Jamaica: National Development Plan (Vision 2030). It is also recognized that the complexity and interconnectedness of the human insecurities require a multi-sectoral, multi-dimensional and multi-level approach that is prevention-oriented, people-centered and partnership driven.

In an effort to address the diverse human insecurities in a comprehensive and holistic manner, the Joint United Nations (UN) Team comprising the United Nations Development Programme (UNDP), United Nations Environment Programme (UNEP), Pan-American Health Organization (PAHO); the Food and Agriculture Organization (FAO); United Nations Educational, Scientific and Cultural Organization (UNESCO); the Global Environment Facility (GEF) Small Grants Programme (GEF SGP) and UN Women are partnering with the GOJ to implement the three-year **“Strengthening human resilience in Northern Clarendon & West Kingston”** Programme under the “Delivering as One” approach.

A comprehensive human security analysis revealed a wide range of threats and insecurities facing communities in Jamaica. The indicators of human insecurity are reflected across the portfolios of UN

Agencies, justifying the need for an integrated approach to reduce vulnerabilities. The joint programme will allow for enhanced coordination and streamlining of resources and efforts to attain common programme objectives in the target communities. Four priority areas emerge as the most prevalent and best suited for a joint UN programme, namely:

- Economic insecurity – expressed in the form of poverty and unemployment, especially among youth and in particular women, and low levels of rural development
- Environmental insecurity – seen in vulnerability to natural hazards and the need to strengthen resilience to climate change and improve management of the use of natural resources such as water and land
- Personal insecurity – expressed in the forms of political and community insecurity because of the high levels of crime in West Kingston
- Health insecurity – due to limited infrastructure for and access to basic services such as water and sanitation.

The three-year programme which is supported by the United Trust Fund for Human Security (UN-TFHS) is aimed at enhancing resilience and human security of communities in Northern Clarendon and West Kingston in Jamaica. It will also seek to mainstream the human security approach in development strategies and support improvement in the policy and regulatory framework in water resources management.

This will be achieved through four key objectives:

**Objective One:** *Local and community governance bodies strengthened to design and oversee interventions to address insecurities*

**Objective Two:** *Enhanced economic, food and nutrition security in selected communities*

**Objective Three:** *Improved environmental health and water security at the community, local and national levels*

**Objective Four:** *Institutional capacity for integration of Human Security Approach strengthened*

#### *Rationale for Consultancy*

#### National Water Sector Policy & Implementation Plan (2019)

The National Water Sector Policy and Implementation Plan 2019 outlines the current situation in the water and wastewater sector and the principles, objectives and policy directions for the management of the country's water resources in line with the Vision 2030 Jamaica – National Development Plan.

One of the major principles of the National Water Sector Policy & Implementation Plan (2019) is Integrated Water Resources Management (IWRM). The traditional fragmented approach to water management is no longer viable and a more holistic and coordinated approach is essential. That is the rationale for the IWRM approach that has now been accepted internationally as the way forward for efficient, equitable and sustainable development and management of the world's limited water resources and for coping with conflicting demands.

“IWRM is a process which promotes the coordinated development and management of water, land and related resources, in order to maximize the resultant economic and social welfare in an equitable manner, without compromising the sustainability of vital ecosystems.” It emphasizes involvement in national policy and law-making processes, establishing good governance and sustainable decisions.

## II. SCOPE OF WORK, ACTIVITIES, AND DELIVERABLES

### Scope of Work

*The Consultant will work in close collaboration with the Ministry of Economic Growth & Job Creation (MEGJC) and National Counterparts to:*

- Undertake a review and gap analysis of existing Policies, Legislation and Regulations relevant to the water and sanitation sector in support of the IWRM approach. This gap analysis should be informed by past research and existing analytical work done in the area, including the Gender Aware Beneficiary Assessment of WASH services.
- Identify/analyse the institutional and legal arrangements and frameworks that are relevant to the water and sanitation sector in support of the IWRM approach.
- Propose recommendations, where necessary, for amendments to existing laws/regulations and/or the need for drafting of new laws/regulations.
- Liaise/consult with relevant stakeholders, including Ministries, Departments and Agencies, to obtain information and, where necessary, provide feedback on the proposed recommendations.
- Present draft legislation, regulations and/or proposed amendments to relevant ministries and Legal Services Units

### Expected Outputs and deliverables

Deliverables/ Outputs	Estimated number of working days	Completion deadline	Review and Approvals Required <i>(Indicate designation of person who will review output and confirm acceptance)</i>
Inception Report to include: i. Detailed Initial Actions/Methodology ii. Identified Priorities within the Scope of Work iii. Proposed Work Plan, including the Expected Deliverables and Timelines iv. Risk and Mitigating actions for consultancy	3	3 weeks upon signing contract	10%
Submit a soft copy of the first draft of the Gap Analysis Report based on the Outputs and draft Legislation	10	6 weeks upon signing contract	40%

Presentation of the Draft Documents to Stakeholders	1	6 weeks upon signing contract	30%
Submit two (2) hard copies and a soft copy (on CD) of the final Consultancy Report and final Legislation.	16	10 weeks upon signing contract	20%
Total	30		100%

### III. WORKING ARRANGEMENTS

#### **Institutional Arrangement**

Consultant will report directly to the Resident Representative, working closely with the Water Unit in the Ministry of Growth, Economic and Job Creation and UNDP Jamaica Programme Team. Payments will be made upon receipt and approval by the UNDP Jamaica CO and the Ministry of Growth, Economic and Job Creation. All work/documents associated with this consultancy is the property of UNDP.

#### **Duration of the Work**

- a) The consultant will be engaged over a thirty (30) day period commencing in October 2020 and culminating in November 2020 over a two-month period.
- b) The anticipated start date for the consultancy is October 2020
- c) UNDP and relevant partners will review and provide comments on deliverables within 3-5 business days of receipt of the deliverable.
- d) Payment for deliverables can only be made upon submission and approval of an invoice. Payment usually take 5-7 consecutive working days to be processed

#### **Duty Station**

- a) Kingston, Jamaica

### IV. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

The consultant should possess:

- Minimum Bachelor's Degree in Law, Public Policy or Environmental Science A minimum of five (5) years of experience with the possession of a Bachelor's degree **OR** a minimum of two (2) years of experience with possession of a Post-Graduate degree in the field of Research and Analysis/ Policy Development/Formulation and conducting multi-stakeholder consultations.
  - At minimum 2 years of experience in Legislative Reviews and Drafting.
  - Proven professional experience in & knowledge of water sector legislation and regulations for IWRM.
  - Proven experience in the development or review of policies at a national level. Familiarity with the Laws of Jamaica.

- Proven experience in consultancy to International Organizations, Government Agencies, and Civil Society Organizations.
- A good understanding of government structures and its functioning.

Competencies and special skills requirement:

- Professionalism – Demonstrates professional competence and is conscientious and efficient in meeting commitments, observing deadlines and achieving results.
- Planning and Organising – Ability to plan, work and manage priorities.
- Communication – Excellent written and oral communication skills.
- Teamwork – Good interpersonal skills and the ability to establish and maintain effective partnerships and working relationship with key stakeholders.
- Analytical Skills – Ability to solve problems and analyse data.

## V. EVALUATION METHOD AND CRITERIA

Cumulative analysis

*When using this weighted scoring method, the award of the contract should be made to the individual consultant whose offer has been evaluated and determined as:*

*a) responsive/compliant/acceptable, and*

*b) Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.*

*\* Technical Criteria weight: 70% of total evaluation- max points: 70*

*\* Financial Criteria weight: 30 % of total evaluation- max points: 30*

*Only candidates obtaining a minimum of 70 point would be considered for the Financial Evaluation*

<b>Criteria</b>	<b>Weight</b>	<b>Maximum Point</b>
<u>Technical</u>		
Minimum Bachelor's Degree in Law, Public Policy or Environmental Science	Pass/Fail	Candidates will be given a 'Pass' mark provided they have met the requirement as it pertains to the relevant educational qualifications in addition to the relevant years of experience.
<ul style="list-style-type: none"> <li>• A minimum of five (5) years with Bachelor's degree or minimum of two (2) years of experience with Post-graduate degree in the field of Research and Analysis/ Policy</li> </ul>	20%	15 points will be allocated for the possession of a minimum years of experience (re: Bachelors/Masters)

Development/Formulation and conducting multi-stakeholder consultations.		<i>s in Research and Analysis/Policy Development/Formulation and conducting multi stakeholder consultations. A point will be awarded for each additional year up to a maximum of 20 points.</i>
<ul style="list-style-type: none"> <li>At minimum 2 years of experience in Legislative Reviews and Drafting.</li> </ul>	20%	<i>15 points will be allocated for the possession of the minimum two years of experience in legislative review and drafting. A point will be awarded for each additional year up to a maximum of 20 points.</i>
<ul style="list-style-type: none"> <li>Proven professional experience in &amp; knowledge of water sector legislation and regulations for IWRM.</li> </ul>	5%	<i>5 points will be allocated based on experience shown.</i>
<ul style="list-style-type: none"> <li>Proven experience in the development or review of policies at a national level.</li> </ul>	15%	<i>15 points will be allocated for each policy where the consultant has led the review and/or development process.</i>
<ul style="list-style-type: none"> <li>Assessment of Technical Proposal Technical Proposal should detail the consultant's approach to work based on the TOR. Points will be awarded based on:               <ul style="list-style-type: none"> <li>- Clarity (2 points)</li> <li>- Specificity (2 points)</li> <li>- Language (2 points)</li> <li>- Feasibility (2 points)</li> <li>- Approach to work (2 points)</li> </ul> </li> </ul>	10%	<i>Candidates will be allotted a maximum of 10 points based on the fluidity of their technical proposal.</i>

Financial Criteria weight: 30%

**Application Procedure:**

Qualified and interested candidates are requested to submit the following to demonstrate your interest and qualifications by explaining why you are the most suitable for the post:

- **Cover Letter** explaining why you are the most suitable candidate for the advertised position.
- **Completed P11 form** (Personal History Form) (available on UNDP website) **and/or CV** including past experiences in similar projects and contact details of referees.
- **Technical Proposal**-should include (a) detailed proposed strategy/methodology, work plan timeline; risks/limitations; (b) detailed profile of the expertise of the consultant, especially as it relates to scope of work;
- **Financial Proposal (using template provided)**-specifying a total lump sum amount for the tasks specified in this announcement. The financial proposal shall include a breakdown of this lump sum amount for the specified tasks (e.g., costs related to data collection, capacity building events, public information session/launch, travel, and any other costs, including the number of anticipated work days). Overall, the financial proposal should include costs to deliver the work plan.

Incomplete applications will not be considered. Please make sure you have provided all requested documents. UNDP retains the right to contact references directly. Due to the large number of applications we receive, we are able to inform only the successful candidates about the outcome or status of the selection process.

UNDP is committed to achieving workforce diversity in terms of gender, nationality and culture. Individuals from minority groups, indigenous groups and persons with disabilities are equally encouraged to apply. All applications will be treated with the strictest of confidence.

Approval

Signature   
Name Denise Antonio, Resident Representative

Date 13-Aug-2020