



## **ANNEX-1**

### **TERMS OF REFERENCE FOR CONTAMINATED SITES MANAGEMENT EXPERT FOR IDENTIFICATION AND REMEDIATION OF CONTAMINATED SITES WITH POPS PROJECT**

#### **1 BACKGROUND**

United Nations Development Programme (UNDP) is the UN's global development network, an organization advocating for change and connecting countries to knowledge, experience and resources to help people build a better life.

UNDP Climate Change and Environment Portfolio's strategy is focusing on promoting change at scale through investing in national capacity to respond in addition to piloting and prototyping development solutions that have the potential to lead to transformational change. Also, a key element of the strategy is to apply the integrated ecosystem approach, to help establish mechanisms to value ecosystem services with a view to address the market failures to fully reflect the true value of ecosystem services.

The portfolio strategy requires the establishment of programmatic partnerships, as a cross-cutting area, 'with different ministries, international organizations (inter alia UNEP, EU, UNIDO, WB, EBRD and FAO), universities and CSOs, collaboratively adding value to the ongoing work of these stakeholders in Turkey. The Climate Change and Environment (CCE) Portfolio focuses on three programmatic areas that complement each other: 1-Natural Resource Management contributing to sustainable environment management and conservation of natural resources in production landscapes, within the general framework of the ecosystems approach; 2- Climate Change and Disaster Resilience (including chemicals and waste) strengthening institutional capacities for analysis and risk management for resilience with a specific emphasis on climate change, and 3- Cooperation with relevant stakeholders to promote energy efficiency and renewable energy.

"Identification and Remediation of Contaminated Sites with POPs Project" under CCE Portfolio is funded by European Union under IPA Programme and will be executed by UNDP in partnership with Ministry of Environment and Urbanization, the General Directorate of Environmental Management in Turkey. The project aims to improve environmental protection and the quality of life of citizens by protecting human health and environment from adverse effects of Persistent Organic Pollutants (POPs) and other hazardous substances especially in contaminated sites through enhancing the implementation capacity of EU POPs Regulation and Soil Contamination Strategy. In order to achieve the project objective, and address the barriers, the project's intervention has been organized into three components:

- Component 1. Technical and institutional capacity strengthening for management of POPs contaminated sites,

- Component 2. Identification and classification of contaminated sites with POPs and Pilot remediation activities,
- Component 3. Increasing institutional experience for remediation of POPs contaminated sites.

In the view of the above, a consultant as Contaminated Sites Management Expert will provide consultancy services to support Component 1 and 2 of the project.

## **2 ACCRONYMS AND ABBREVIATIONS**

Unless otherwise noted;

- UNDP refers to United Nations Development Programme Country Office in Turkey,
- The Assignment refers to the present Assignment,
- IC refers to the Individual Consultant,
- MoEU refers to Ministry of Environment and Urbanization
- CSRS refers to Contaminated Sites Registration System
- TAT refers to Technical Assistant Team
- CTA refers to Chief Technical Advisor
- CSME refers to Contaminated Sites Management Expert

## **3 OBJECTIVE AND SCOPE**

The objective of the assignment is to provide technical inputs for Legal Gap Assessment and relevant activities, prioritizing of contaminated sites with POPs/Toxic Substances, and selection of the pilot contaminates sites.

The CSME will be providing technical expertise for the achievement of the results under Component 1 and Component 2 of Identification and Remediation of Contaminated Sites with POPs Project. CSME will support the CTA and report to the UNDP Chemicals and Waste Projects Coordinator and Project Manager of Identification and Remediation of Contaminated Sites with POPs Project. Under the overall supervision of CCE Portfolio Manager, CSME will closely work with a team of experts and the staff from General Directorate of Environmental Management; Department of Water and Soil Management and Department of Chemicals Management.

His/her functions do not include managerial, supervisory and/or representative functions. The CSME will provide technical inputs to following activities of the Project components:

- Activity 1.2. Legal Gap Assessment (LGA)/Guidance Documents/Publications Preparation and Update
- Activity 2.2. Identification and Classification of POPs Contaminated Sites in Turkey
- Activity 2.3. Prioritization of POPs/Persistent Toxic Substances Contaminated Sites for Remediation
- Activity 2.4. Selection of Two Pilot Areas among the Prioritized Contaminated Sites in Activity 2.3

## **4 DUTIES AND RESPONSIBILITIES OF THE INDIVIDUAL CONSULTANTS**

UNDP will mobilize one (1) individual consultant (IC) as Contaminated Sites Management Expert (CSME) on a framework contract basis. Within the scope of the Assignment; based on

their expertise, the CSME is expected to provide consultancy services for the below listed generic activities (but not limited to):

- Preparation of Legal Gap Analysis of By-law on POPs and Contaminated Sites Legislation
- Updating of currently available technical guidelines related to Contaminated Sites Assessment, Remediation, Monitoring and Risk Assessment and technical forms available in the annex of legislation
- Support to development of a new guidance specifically targeting POPs contaminated sites
- Preparing a map of contaminated sites in Turkey according to the pollutant type, pollution load, sectoral and geographic specifications to identify and classify the POPs contaminated sites in Turkey,
- Support to prioritization of POPs/Persistent Toxic Substances contaminated sites for remediation
- Support to selection of two pilot areas among the prioritized contaminated sites
- Providing other services/tasks requested by the UNDP and MoEU POPs Project Team.

The CSME will work closely with the Project teams mobilized by the UNDP and Chemicals Management Department/Water and Soil Management Department of MOEU. The above-mentioned duties and responsibilities are indicative and subject to further detailing through specific service requests to be made by UNDP during the contract duration. If required by the UNDP in collaboration of MoEU, the CSME may be requested to provide additional consultancy services on topics related to her/his expertise area for other activities of the Project.

## **5 DUTIES AND RESPONSIBILITIES OF THE UNDP**

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

All document 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.

## **6 EXPECTED OUTPUTS AND DELIVERABLES**

The IC will work as consultant and expected to invest **(at maximum) 100 working days** throughout contract duration.

The framework contract will be executed based on assignments detailed in each specific service requests to be prepared by UNDP. Service requests will be developed by the Project Manager and Chemicals and Waste Projects Coordinator under the overall supervision of CCE Portfolio Manager the time schedule for each assignment will be determined by UNDP in consultation with the IC. Service request will be effective upon signing and return by the IC.

The Assignment may include interim and final deliverables, which will be defined in the specific service requests to be made by UNDP to the IC within the scope of Terms of Reference.

## **Reporting:**

The reports shall be submitted to the Project Manager and Chemicals and Waste Projects Coordinator under the overall supervision of CCE Portfolio Manager for final approval. All the reports are subject to approval from the Project Manager and Chemicals and Waste Projects Coordinator under the overall supervision of CCE Portfolio Manager to realize the payments to the IC. All reports shall be submitted in English, with an executive summary in Turkish. The IC shall be solely liable for the accuracy and reliability of the data provided, links to sources of information used.

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

## **7 REQUIRED QUALIFICATIONS**

The required qualifications and/or experience are presented below:

	<b>Minimum Requirements</b>	<b>Assets</b>
<b>General Qualifications</b>	<ul style="list-style-type: none"><li>• University degree in chemical engineering, chemistry, environmental sciences or any other relevant technical discipline, (5 points),</li><li>• Good command of spoken and written English. (4 points)</li></ul>	<ul style="list-style-type: none"><li>• <b>Asset:</b> Master's degree in related fields will be an asset (5 points)</li></ul>
<b>General Professional Experience</b>	<ul style="list-style-type: none"><li>• Minimum 10 years of relevant professional experience (19 points),</li></ul>	
<b>Specific Professional Experience</b>	<ul style="list-style-type: none"><li>• Minimum 5 years of specific working experience on guideline/ technical specification/terms of reference/operational plan preparation/development about contaminated sites/chemicals management/persistent organic pollutant contamination (7 points),</li><li>• Minimum 2 years of international<sup>1</sup> projects experience as a specialist or expert in the contaminated sites management (7 points),</li><li>• Experience in at least 3 international/national projects as a specialist or expert in contaminated sites management (7 points)</li></ul>	<ul style="list-style-type: none"><li>• <b>Asset:</b> Local working experience in Turkey is an asset (4 points),</li><li>• <b>Asset:</b> Practical/implementation experience with contaminated sites with POPs/PTS will be an asset (7 points)</li><li>• <b>Asset:</b> Minimum one contaminated sites rehabilitation experience in a country outside of Turkey to bring in the international know-how (5 points)</li></ul>
<b>Notes:</b> <ul style="list-style-type: none"><li>• Internships (paid/unpaid) are not considered professional experience.</li><li>• Obligatory military service is not considered professional experience.</li><li>• Experience gained prior to graduation from university is not considered as professional experience.</li></ul>		

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<sup>1</sup> International means project experience in countries other than Turkey in order to bring in international technical know-how in the field of contaminated sites.

UNDP is committed to achieving workforce diversity in terms of gender, race, ethnicity, indigenous identity, disability and culture. Individuals from all genders, minority groups, indigenous groups and persons with disabilities are equally encouraged to apply. All applications will be treated with utmost confidentiality.

## 8 TIMING AND DURATION

The Assignment is expected to start on 15 March 2021 and be completed until 1 October 2022. The IC as CSME is expected to invest **maximum 100 working days throughout the contract duration.**

## 9 PLACE OF WORK

Place of work for the assignment is home-based. All travel, accommodation and living costs in duty station (home-based) will be covered by the IC. There is no foreseen travel out of duty station within the scope of the Project. In case of an unforeseen travel out of the duty station is needed, the travel and accommodation costs of these missions will be borne by UNDP. The cost and terms of reimbursement of any travel authorized by UNDP for the IC must be negotiated prior to travel. The respective travels of the IC may either be;

- Arranged and covered by UNDP CO from the respective project budget without making any reimbursements to the IC,
- 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 provided above.

Cost item	Constraints	Conditions of Reimbursement
Travel (intercity transportation)	full-fare economy class tickets	1- Approval of UNDP before the initiation of travel 2- Submission of the invoices/receipts, etc. by the consultant with the UNDP's F-10 Form 3- Approval and acceptance 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	

As per UNDSS rules, the IC is responsible for completing necessary online security trainings and submitting certificates and travel clearance prior to assignment-related travels.

## 10 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 approval of such deliverables by UNDP.

Service Requests will be detailed and signed by both parties for a Service Request to be effective. However, if the deliverables are not produced and delivered by the IC to the satisfaction of UNDP as approved by the Projects Coordinator and Project Coordinator in matrix management system, under the overall supervision of Climate Change and Environment Portfolio Manager, no payment will be made even if the consultant has invested working/days to produce and deliver such deliverables.

The amount paid to the IC shall be gross and inclusive of all associated costs such as social security, pension and income tax etc.

Payments will be made within 30 days upon acceptance and approval of the corresponding deliverable by UNDP on the basis of actual number of days invested in that respective deliverable and pertaining Certification of Payment document signed by the IC and approved by UNDP. **The total amount of payment to be affected to the IC within the scope of this contract cannot exceed 100 working days.**

**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.