

Terms of Reference

Regulations Consultancy

A. Project Title

Japan-Caribbean Climate Change Partnership (J-CCCP)

B. Project Description

The Japan-Caribbean Climate Change Partnership (J-CCCP) brings together policy makers, experts and representatives of communities to encourage policy innovation for climate technology incubation and diffusion. By doing so, the initiative aims to ensure that barriers to the implementation of climate-resilient technologies are addressed and overcome in a participatory and efficient manner. The project is designed to strengthen the capacity of countries in the Caribbean to invest in mitigation and adaptation technologies, as prioritized in their Nationally Appropriate Mitigation Actions (NAMAs) and National Adaptation Plans (NAPs).

The Partnership will include the following eight Caribbean countries: The Commonwealth of Dominica, Grenada, Saint Lucia, Saint Vincent and the Grenadines, the Republic of Guyana, Jamaica, Belize and the Republic of Suriname.

C. Scope of Work

The main objective of this Consultancy is to:

- a) Produce draft regulations for the implementation of the NIWRA to be tabled before Parliament (main regulations).
- b) Produce a draft table of fees chargeable under the NIWRA to be tabled before Parliament (that correspond to the main regulations)

In general the scope of works includes preparation and submission of a work plan and inception meeting report; literature reviews and stakeholder interviews; formulation and submission of draft regulations, draft table of fees, and preparation and submission of explanatory memoranda (to help members of the executive and legislature to understand the purpose for the regulations and fees and how they are intended to operate); and preparation and submission of consultancy report.

Task 1 - Work Plan and Inception Meeting Report

Conduct an inception meeting with the client upon commencement of the consultancy to (i) review the roles and responsibilities of the Consultant and the client; (ii) discuss the bases on which the various works under the consultancy will be carried out, (iii) review the processes for conducting all activities of the consultancy, and (iv) formulate a work plan and timetable.

A final report on the outcome of the inception meeting and a final work plan shall be prepared by the Consultant and submitted to the client no later than two weeks after the commencement of the consultancy.

Task 2 – Draft Regulations

- (a) Conduct a literature review of all relevant policies legislation and prior initiatives, as well as conduct stakeholder interviews to assess opportunities limitations and challenges, relating to the regulation of water resources in Belize and the charging of fees under the NIWRA. This includes but is not limited to the:
 - i. Review of the NIWRA, WIA and other local legislation
 - ii. Review of regional legislation relating to the regulation of water resources
 - iii. Review Government of Belize water policy

- iv. Conduct stakeholder interviews.
- b) Develop draft regulations to implement the NIWRA, which Act includes provisions on matters including but not limited to:
- i. Abstraction and Use of Water
 - ii. Exemptions
 - iii. Control and Protection of Groundwater
 - iv. Well Drilling
 - v. Gathering Grounds
 - vi. Control of Water Abstraction and Use
 - vii. Water Pollution Control
 - viii. Control of Pollution
 - ix. Control of Water Quality and Reservation
 - x. Enforcement
 - xi. Offences
 - xii. Penalties
 - xiii. Licensing
 - xiv. Appeals

The draft regulations shall be accompanied by an explanatory memorandum.

The final draft regulations shall be prepared by the Consultant and submitted to the client no later than twelve weeks after the commencement of the consultancy.

Task 3 – Draft Table of Fees

Produce a draft table of fees chargeable under the NIWRA that corresponds to the draft regulations developed as per Task 2 with an explanatory memorandum.

The final draft table of fees shall be prepared by the Consultant and submitted to the client no later than twelve weeks after the commencement of the consultancy at the same time as submission of the draft regulations set out under Task 2 above.

Task 4 – Draft Consultancy Report

Produce a draft consultancy report upon completion of Tasks 1, 2 and 3. This report shall detail the nature of the works undertaken, noting the level of success and constraints in methodologies used, the nature and quality of stakeholder participation including limitations in the scope of stakeholder participation, any potential constraints as regards the effective implementation of the draft regulations and fees, and any other lessons learnt during the consultancy. The draft consultancy report shall include as attachments the draft regulations and table of fees and will be reviewed by the client upon submission by the Consultant.

The draft consultancy report shall be prepared by the Consultant and submitted to the client no later than fourteen weeks after the commencement of the consultancy.

Task 5 – Final Consultancy Report

Produce a Final Consultancy Report after taking into account the comments upon review by the client.

The final consultancy report shall be prepared by the Consultant and submitted to the client no later than fifteen weeks after the commencement of the consultancy.

D. Expected Outputs and Deliverables

Deliverables/ Outputs	Estimated Duration to Complete	Payment
Final Work Plan and Final Inception Meeting Report (Task 1)	2 weeks	15%
Final Draft Regulations with an explanatory memorandum (Task 2) Final Draft Table of Fees (Task 3)	12 weeks	35%
Draft Consultancy Report (Task 4) Final Draft Regulations Final Draft Table of Fees	14 weeks	30%
Final Consultancy Report (Task 5) Final Regulations Final Table of Fees	15 weeks	20%

E. Institutional Arrangement

The Consultant shall take into account and address all comments of the client before final submission of each deliverable and shall report directly to the Chief Executive Officer on the deliverables of the work

Deliverables shall be submitted in printed and editable digital form

F. Duration of the Work

Commencement target date is February 20, 2017, expected duration of work is 15 weeks with expected to be completed by June 3 2017.

G. Duty Station

The Contractor is expected to work mostly home based with periodic visits to NIWRA in the Ministry of Natural Resources in Belmopan.

H. Qualifications of the Successful Individual Contractor

- i. Post Graduate Degree or Bachelor Degree in Hydrology, Water Resources Management, Water Resources Engineering or Environmental Sciences.
- ii. Experience in the preparation of national reports and relevant international and national documentation.
- iii. Experience in the regulation of water resources, hydrological operations.
- iv. Extensive (at least 10 years) experience in water resources studies or research
- v. Prior knowledge of and experience in water projects in the Caribbean would be an asset
- vi. Good working relations with both Government and civil society.
- vii. Strong oral and written communication skills.
- viii. Strong interpersonal and facilitation skills.

I. Scope of Price Proposal and Schedule of Payments

All proposals must be expressed in as a *Lump Sum Amount and must be* "all-inclusive". The contract price is fixed regardless of changes in the cost components;

J. Recommended Presentation of Offer

The following documents are requested:

- a) 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, and a methodology on how they will approach and complete the assignment including a timeline;
- d) **Financial Proposal** that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided. 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.

K. Criteria for Selection of the Best Offer

Combined Scoring method will be used– where the qualifications and methodology will be weighted a max. of 70%, and combined with the price offer which will be weighted a max of 30%; or