



Terms of Reference (TOR)

Request for Consultant to Review Puntland Water Policy and Water Act for Improving Water Accessibility Affordability and Strengthening Water Governance Through Decentralization.

1. Background

Puntland Ministry of Energy, Minerals and Water (MoEMW) promotes socio-economic prosperity through the establishment of systems and structures, implementation of strategies, enforcing policies and regulations to ensure clean water access, sustainable energy, and vibrant minerals/petroleum industries. The Ministry is one of Puntland governmental institutions leading the UN joint Programme on local governance initiatives in the Puntland. It manages the different Water-related activities of the agencies within the UN Joint Programme on Local Governance and Decentralized Service Delivery especially the Service Delivery Model (SDM) activities led by UNICEF. The ministry also has a mandate in overseeing the functions of the local governments in terms of water management and water governance at the local level through creating an enabling environment and policy and legal frameworks which support the local governments to flourish.

In terms of Water Management and governance at the local level, the Local Governments in Puntland are generally plagued by a lack of clear guidelines on their roles and responsibilities. This leads to difficulties in delivering clean and access service to citizens at local. Therefore Puntland Ministry of Energy Minerals and Water in collaboration with the UNICEF JPLG Programme intends to revise the Puntland Water Policy and Water Act to align them with Puntland Decentralization Policy and clarify the different roles and responsibilities of different government institutions (local vs. state), private sector agencies and communities in water service delivery.

1.1 Scope of Work

The consultant/firm is required to review and update the Puntland water policy and Water Act and align them with the current policy environment: the decentralization policy that was adopted in 2014, Puntland Local Government law (Law No 7), and PPP guideline/policy. After the revision, the Water Policy and Water Act are required to be in accordance with Puntland Decentralization goals.

The consultant is required to go through all the processes needed to ensure effective revision is done, this will include, conducting a desk review, Conducting Stakeholder Consultation and Validation Workshops, supporting the Ministry for tabling the water policy for the cabinet and parliament approval and organizing a dissemination workshop, to share the final copies of the Water Policy and Water Act with the stakeholders and wider community

1.2 Specific Tasks

- Conduct a desk review and go through the Water policy, Water act, the PPP guidelines as well as the decentralization policy and roadmap to identify key policy gaps and obstacles to the smooth delivery of decentralized water services at the local level and to ensure they are not conflicting with each other, but complementing each other.
- Conduct a comprehensive literature review of policy arrangements in comparable contexts to inform the new policy options for the water sector.
- Following the desk, review submit an inception report to the Puntland Ministry of Energy Minerals and Water for review and approval.
- Under the leadership of the Ministry of Energy, Minerals and Water convene a water Policy and Water Act stakeholders' workshop, to be attended by government representatives (local and state), private sector (PPP companies), and citizens and collect stakeholders' inputs to inform new policy options.
- Prepare and share a stakeholder consultation report summing up key outcomes and recommendations of stakeholders under the different policy areas.
- Formulate recommendations for changes to the water policy and water Act and any additional strategies/guidelines needed to address existing ambiguities in the governance of the decentralized water sector and present to the Ministry of Energy, Minerals and water for review and additional inputs.
- Draft a revised Water Policy and Act and submit them to the Ministry of Energy Minerals and Water for final approval and incorporate technical feedback in the second revision of policy which will be presented for validation.
- Convene a stakeholder validation workshop in Garowe to validate policy discussions, inputs and consultations, as well as the recommendations for policy revisions.
- Produce and submit the Validated policy and Water Act documents and minutes of validation meetings and discussions one week after they are validated.
- Produce the Final policy and Water Act documents, both in English and Somali with the Implementation Plan.
- Support the Ministry of Energy, Minerals and Water to table the Water policy for Cabinet and Parliament approval takes the lead in presenting and defending the water policy and answering questions that may be raised by policy and lawmakers during the approval process.
- Support the Ministry to organize a dissemination workshop, and share the final revised policy with the participants, stakeholders, and wider community.

1.3 Deliverables of the Assignment

The following deliverables/outputs are expected of the consultant.

- An Inception Report before commencement of the assignment, explaining the detailed water policy and review process and draft implementation plan. The inception report must also include a well-defined stakeholder engagement framework. The Inception Report shall be approved by the Ministry before Desk Review and stakeholder engagement can commence.
- Stakeholder consultation meetings organized in Bosaso, Garowe, Galkayo and Qardho to have their ideas and views included in the new policy and strengthen their buy-in and ownership of water governance as a result of this participatory consultation meetings.
- Submit a final consultation report summing up key outcomes and recommendations of stakeholders under the different policy areas.

- Submit the final draft Water Policy and Act to the Ministry within one month following the completion of consultations meetings for technical comments and input
- Stakeholder validation meetings conducted in Garowe and validated policy and water documents along with the minutes of validation discussions produced one week after the validation.
- Final revised Water Act and Water policy documents– both English and Somali with the implementation plan submitted one month after the validation and the presentation to the cabinet and the parliament.

1.4 Expected results

The revised water policy and water act will contribute to fulfilling the implementation of decentralization reforms and improving water governance in Puntland. The review exercise will:

- Reduce ambiguities in the water sector by clarifying the roles and responsibilities of different government institutions (local vs. state), private sector agencies and communities in water service delivery. It will also trigger the need for additional bylaws for water governance in Puntland.
- Ensure alignment of the water policy and water act with decentralization and PPP policy
- Strengthen stakeholder buy-in and ownership of water governance as a result of the participatory consultation and validation workshops exercise.

1.5 Duration of Assignment

This assignment will take 7 months inclusive of any travels as well as consultation and validation workshops. It will be effective from the date of signing the contract.

2.0 Qualifications

To qualify for this assignment, the consultant must have the following mandatory professional experience and knowledge.

- 1- Advanced university degree in the areas of Policymaking and Development.
- 2- At least seven (4+) years of experience in Policy Design and Development in the areas of local governance and decentralization of Water Services.
- 3- Good understanding of Service Delivery Decentralization particularly water service delivery at the local level.
- 4- Understanding of the key issues involved in Puntland Water Service Management and Governance needs and gaps.
- 5- Outstanding communication and analytical skills with excellent command of spoken and written English

2.1 Budget and Terms of Payment

Payment will be made in accordance with Ministry of Energy, Minerals and Water and UNICEF payment rules and regulations and upon receipt of the deliverables stated in these terms of reference.

2.2 Application Procedure and Deadline

Please submit the applications with an updated CV, copies of transcripts, financial proposal, 2 samples of previous work related to this assignment and a technical proposal (maximum 5 pages). The technical proposal should include (i) a brief explanation about the consultant with emphasis on previous experience in this kind of work (ii) understanding of TOR and the task to be accomplished (iii) proposed methodology of how the work will be done and (iv) draft implementation plan.

Application should be submitted on or before 3rd December 2020 via email to:

dq.moemw@plstate.so, omar@moemw.pl.so and CC Snur@unicef.org

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