



Municipal Development and Lending Fund

“Local Government Reform & Development Program Phase II - Addendum”

(LGRDP II-IM)

Terms of Reference

For

**Individual Consultant for Upgrading, Expansion & supervision for
wastewater treatment plans in West Bani Zaid & First JSC in Qalqiya**

Ref: LGRDP II-IM- PZA 1303311-01

January. 2023



Terms of Reference Individual Consultant

1. Introduction

The Palestinian local government system is in a development process that involves increased decentralization and strengthened fiscal, organizational and management capacity, increased citizen participation, and improved efficiency and viability of service provision. The Palestinian Authority has embarked in a series of reforms since 2016 in order to respond to projected and current effects of climate change. Adaptation to climate change is considered as high priority. The Palestinian and Belgian Parties have decided, in Dec 2020, that the Local Government Reform and Development Programme (LGRDP II) would be extended with a specific focus on addressing environment and climate change challenges, to contribute to develop more ‘green, resilient and sustainable municipalities and territories.

Background

The general objective of the action is: LGUs become key actors in addressing the global environmental challenges through LGU cooperation through 4 strategic areas:

- Environment and climate change are integrated into the strategic development and spatial planning processes.
- Local green initiatives (renewable energy, green buildings, green economy ...etc.) are promoted at LGU level that can be used as demonstration projects and stimulate learning on global environmental challenges.
- Regulation and guidelines exist at the national and policy to enable an environment that maximizes LGU’s role in their contribution to (mainly) adaptation to the environment and effects of climate changes
- Awareness and knowledge are enhanced on environmental and climate change challenges in the Palestinian context.

The specific objective of “the action” is:

MDLF will be granted to implement seven (7) green initiatives (investment projects) in the seven (7) clusters of the LGRDP II, these initiatives were designed based on Environmental Assessment studies and strategies developed at the cluster level and approved through the Programme Technical Committee.



2. The Main Objective of the Assignment

The main objective of this consultancy assignment is to provide upgrading, expansion, supervision & technical assistance to (2) green initiatives (Wastewater treatment plans) in West Bani Zaid & First Joint Council in Qalqilya, for the implementation of sub-projects approved by LGRDPII Steering Committee as part of the Local Government Reform & Development Program Phase II (LGRDPII), as follows:

- (i) *Sup-Projects planning and design*: ensuring eligibility criteria for the Sup-projects (including environmental and social safeguards). Preparation of designs (survey maps, existing plans, design drawings, approvals, bill of quantities, specifications and bidding documents...etc.). In addition to assisting in the preparation, review and comment on individual procurement plans, infrastructure and services maintenance, designs, specifications and bidding documents For the benefited clusters & LGUs as annex A.
- (ii) *Sup- projects implementation and supervision*: build the capacity of the LGUs to implement the sub-projects and assist them in the supervision including reporting on progress of implementation, monitoring of indicators, and compliance with the standards as delineated by the MDLF for the benefited Clusters & LGUs as annex A.
- (iii) *Ensuring compliance with technical and fiduciary aspects*: build the capacity and provide guidance to LGUs on technical and fiduciary aspects of Sup-projects preparation and implementation to ensure compliance with MDLF's procurement, financial, social and environment safeguards (including provision of mitigation measures) procedures.

3. Scope of Work

In the two clusters, the IC will work with the Local Government Units (LGUs) with and under the supervision of the Municipal Development and Lending Fund (MDLF) in accordance with the technical details presented in the MDLF's Operations Manual (POM) and the signed contract. This assignment will cover two benefit clusters & LGUs in the West Bank as annex A targeted by the program of the Local Government Reform & Development Program Phase II (LGRDPII).

The Assignment is composed mainly of Sub-projects' design & Implementation stages. The IC is expected to support the benefited LGUs throughout the Local Government Reform & Development Program Phase II (LGRDPII), and will work on this assignment as explained below:



IC Tasks and Responsibilities:

4.1 Planning and design Stage:

- The IC is required to fully understand the projects' objectives, principals, methodology, implementation procedures, guidelines and acceptable practices, and scope so that he will act as an efficient, cooperative and friendly advisor to the MDLF, and LGUs.
- The IC should conduct site visits for the two projects and collect the relatively needed data and would represent these data in the format that would assist in preparing environmental risk assessment, social impact and social risk assessment, project objectives, components, methodology, outputs and outcomes. While collecting projects data, the IC has to consult the benefit LGUs concerning legal status and license for each project. In addition, the IC has to consult with the LGUs as well as with the line ministries to verify the required standards and design criteria and get their approvals.
- For each Sup-project, the IC shall review the Grand Implementation Agreement (GIA) -between MDLF & LGU- & application form approved by MDLF for each project and its attachments.
- For each project, the IC shall prepare and verify the designs (survey maps, existing plans, needed soil tests and structural investigations, complete design drawings (architectural, structural, electrical, mechanical, urban design, and any other needed specialty works), bill of quantities, specifications and bidding documents...etc.). However, it is the responsibility of the Consultant to get the designs approval and stamps.
- The IC should present the design of the two interventions (this include the specification for the designs) to the LGRDPII Technical Team and get their comments and modify accordingly.
- The IC should conduct price analysis and must make sure the estimation cost is in line with the current local market prices.
- The IC shall also provide MDLF with priced BOQs related to every single project.
- The IC shall also enhance the capacity of targeted LGUs designated staff in setting up priorities under crisis and limited resources. he will assist LGUs in ensuring the soundness of social and environmental impact assessments, to identify a comprehensive range of impacts (that are beyond the narrow focus of safeguards) and determine adequate mitigation measures that reflect sound social analysis and are in compliance with the MDLF Environmental & Social Management Framework (ESMF).The IC shall analyze the LGUs budget and verify whether the LGU will have the necessary human and financial resources for managing and maintaining the proposed project upon completion and placing in service.The IC will assist targeted LGUs and the MDLF in assessing the feasibility of projects and ensure their compliance with project objectives, concept, eligibility, safeguards and the environmental and social impact assessments to ensure that possible negative impacts are identified and adequately



mitigated.

- The IC will help targeted LGUs in updating operation and maintenance plan and initial procurement plan and attach them with the application dossier.
- The IC will prepare the bidding documents for the two sub-projects according to MDLF procedures, and participating in Bid Opening session and bid evaluation.
- The IC will assist LGUs with creating and organizing independent and transparent project files for compliance with MDLF requirements. During the Project implementation, the IC will review the file periodically and make sure that all needed documents are well arranged and documented.
- The IC shall assist LGUs in promoting the final sub-project profile (via the LGUs and MDLF websites, existing one-stop-shops, and other public information outreach measures).

4.2 Sub-project Implementation & Supervision Stage

This stage will include the supervision of the implementation of the LGRDPII-IM sub-projects. Details on the tasks required from the IC is elaborated below:

- a. Submit for the MDLF approval a consolidated procurement plan and a disbursement plan to be updated quarterly.
- b. Submit prices monitoring sheet and to be updated on a quarterly basis.
- c. Monitor closely the implementation of the Sup-projects and supervise the works by visiting the LGUs during their sub-projects implementation (**at least two days a week**). The IC will submit to the MDLF for approval a field visit plan for all sub-projects, which shall include the time, personnel, issues discussed, and objectives of the visits. The MDLF will require the IC to provide evidence that the field visits took place, and prepare a field visit report describing the objective of the visit, the achievements (including outputs indicators and outcomes), the obstacles and any issues which were identified giving causes and recommendations with concrete action plans for addressing them (by when and by whom).
- d. In case part of the sub-project that is an archaeological site or part of it lies within the buffer zone of an archaeological site or a registered cultural heritage site, the implementation and supervision works shall be done according to the conservation criteria and specifications that respect its values, this should be agreed upon in coordination with the Ministry of Tourism and Antiquities (MoTA).
- e. For all ongoing sub-projects under LGRDPII-IM Environmental and social consideration to be documented in monthly and final reports. In case there is a severe issue that requires immediate action then the IC would describe in details the issue and provide recommendation and proper action to be taken by LGUs. This information must be documented and sent immediately to MDLF and then to LGUs.
- f. Make sure that all required laboratory tests and quality control measures are done in a professional manner and provide scientific and engineering opinion on them before being sent to the MDLF



- g. Review, verify and update the consolidated procurement plans on a quarterly basis, or as needed, with prior agreement with the MDLF.
- h. Work closely with the LGUs and provide the needed technical support including clarifications to them on project implementation procedures. Ensuring and verifying the need of variation orders. Make sure that the LGUs has the formal approval of MDLF before dealing with variation orders.
- i. Assess and audit the social and environmental impacts/mitigation and compliance through developing safeguards and environmental and social impact checklist in compliance with the environmental and Social management Framework (ESMF) and the environmental and social assessments, relative to the type of sub-project as part of the periodic supervision to ensure compliance with safeguards and mitigation of negative impacts. The findings should be recorded during the site visits conducted by the engineers and annexed in the monthly and final report. The IC is required to coordinate with the MDLF staff is all aspects of environmental monitoring and mitigation. In addition monitor the application of the social, environmental and risk mitigation measures that were identified in the planning phase for the sub-project and make sure with the LGUs that they are implemented, complied in addition to ensure community satisfaction of the implanted measures.
- j. Provide technical support during the implementation including monitoring and evaluation process. The IC will assess the operation and maintenance plan submitted by the LGUs, assist the targeted LGUs in making proper modifications, and advise on further development to such plan.
- k. Capture best practices, lessons learned, and success stories to show impact in relation to the project objectives and include them in its reports.
- l. As there will be a documentary videos for all sub-projects/ interventions (before and after implementation), it is essential to coordinate with the PTC to make sure the before capture was taken.
- m. Secure high resolution photos with captions for the same scenes of the project (before, during and after implementation) and provide MDLF with these photos.
- n. Preparing payments with LGUs and Submit all invoices immediately within 10 days from the date of receipt from the LGUs along with all required documents.
- o. Assisting the LGUs to implement the social activities if any.

4.3 Concerning Financial Management:

The IC will ensure that participating LGUs are following the financial procedures as stipulated in the signed agreements with the MDLF. Specific activities include:

- i. Verifying that the amounts invoiced are consistent with the delivered work, purchased goods or delivered services.
- ii. Ensuring that all project related correspondence and documents including financial transactions, signed contracts, receipts, payment slips, bank transfers, etc, are



- properly maintained in separate files for review and audit by the consultants, the MDLF and the donor designated team and auditor. The files must be kept for at least five years after the sub-project completion.
- iii. Reviewing and verifying that LGUs are using the proper procedures regarding disbursement, acquisition of assets, inventory control, purchasing goods.
 - iv. Enhancing the capacity of LGUs and coach them on the needed procedures taking into consideration internal control and segregation of duties and guide them to the best practices in that field.
 - v. Reviewing and approving all invoices and supporting documents and ensuring that all adopted procedures by the LGUs are maintained and acceptable before submitting the payment documents to the MDLF.

4.4 Concerning Social and Environment Safeguards:

The IC will ensure that the financed sub-projects are implemented in compliance with the MDLF Environment and Social Management Framework (ESMF). Moreover, ensure timely response of mitigation measures by LGUs to any activity under the approved investments which may trigger any social and environmental safeguard. Specifically, the Consultant will:

- i. Identify the best practice methods that the LGUs are adopting to ensure public safety and environmental protection;
- ii. Assist LGUs on improving their public safety and environmental protection measures, Conduct regular monitoring for environmental mitigation which will be based on ESMF guidelines and best practices.
- iii. Assist LGUs in preparing the Environmental and Social Management Framework (ESMF) for each subproject.
- iv. Assist LGUs and monitor that the mitigation measures proposed in the ESMF are identified, complied and any needed environmental actions were considered and complying to be implemented accordingly.
- v. Assist LGUS in ESMF compliance via on-job training and supporting LGUs in implementing penalties.
- vi. Ensure that the Environmental and Social issues, complaints and noncompliance penalties are inherited into the IC Monthly report and final report, in addition to review the final invoice to include penalties.



4.5 Concerning Overall Monitoring and Reporting: The IC will:

- i. Review the designed project monitoring and evaluation indicators and recommend to the MDLF any need for improvement.
- ii. Monitor the indicators stipulated in the Program document and include that in the periodic consultant's reports.
- iii. Identify any difficulties and challenges that faces sub-project implementation at the LGUs level as early as possible and maintain an open dialogue with those responsible aiming at finding solutions or corrective measures.
- iv. Conduct **two day** site visit per week to each sub-project to monitor progress and quality of work and provide the LGUs with the technical assistance and support needed. The visits should be also conducted at any other time and when there is a need for the IC to be present at the site due to the nature of works being implemented and when there is a problem during implementation. Capture subprojects development by taking high resolution digital photos with captions throughout the projects implementation Stage.

4. Communication

The Consulting firm should maintain continuous and quick communication with the MDLF to ensure rapid transmission of all information and documents between LGUs and the MDLF. The IC will attend weekly or bi-weekly meetings as may be requested by the MDLF or/and the Project Technical Committee (PTC), LGUs. Furthermore, when required,

5. Reporting and deliverables

The IC is expected to provide for the MDLF review and approval the following reports and deliverables- reports language is English with an Arabic abstract:

- All reports and deliverables are owned by the client MDLF and \or PTC.
- Final copies of reports and deliverables should be submitted in one hard original copies in addition to two soft copies- open files- AutoCAD, Excels, Etc...
- Final design plans and BOQs should be submitted in four original hard copies in addition to two soft copies.

The reports are:

- a. **Inception Report** within two weeks from signing the contract.
- b. **Summarized Monthly Progress Reports** that will briefly describe the IC work resulted from their field visits and contacts with LGUs during the last month and achieved progress. It shall include as attachments the field visits reports, and the monthly progress report for every single project endorsed from both the concerned LGUs and the IC.



- c. **Preliminary Design Plans** that will cover all the implementation projects under LGRDP II program up to the preliminary design stage.
- d. **Two Quarterly Progress Reports** (the time of providing the report shall be based on the reporting periods of the MDLF).
- e. **Design Completion Reports:**
The IC will submit a design completion report annexed with the approved designs and related licenses approval for each single project that will be implemented under the LGRDP II-IM. These outputs shall be submitted for approval according to accomplishment.
- f. **Final Report which will include** detailed progress about the **Sup-projects** including the environmental and social safeguards, achieved goals, success stories, and lessons learned obstacles, and recommendations for improvement. It should also include the project performance indicators and a project beneficiary satisfaction survey. And summarizing achievements in reaching key performance indicators, improvements in implementation capacity and recommendations. The report shall be submitted within 2 weeks of completing the specified sub-projects.

6. Contract Type and payments schedule

This contract is a lump-sum contract. Payments will be arranged according to the following:

- **First Payment: 15%** of the contract amount upon the submission of the **Inception Report**, acceptable to the client.
- **10%** of the contract amount upon the Clients receipt of the **Preliminary Design Plans**, acceptable to the Client.
- **15%** of the contract value after each submission and approval of **the Quarterly Progress Report**, acceptable to the Client (**total of expected 2 payments**)
- **15%** of the contract amount upon the Clients receipt of the **Design Completion Report**, acceptable to the Client
- **Final Payment: 30%** of the contract amount upon the submission of the **Final Report**, acceptable to the client.

7. Timeframe

The total duration of this assignment should be completed within a period of **9 months** from the date of signing the contract.



Deliverables breakdown and schedule:

ID	Deliverable Name	Expected Due Date
1.	Inception Report	After two weeks from signing the contract
2.	Monthly Progress Reports	This report should be submitted by the end of every month
3.	Preliminary Design Plans	Four weeks from signing the contract
4.	Quarterly Implementation Progress Reports	This report should be submitted every 12 weeks.
5.	Design Completion Reports	After 8 weeks from signing the contract
6.	Final Report	Two weeks before the end of the assignment

8. Project Administration

The Municipal Development and Lending Fund (MDLF) will be responsible for the coordination of activities with the consultant, receiving and approving invoices for payments and for acceptance of the deliverables.

The project manager is Eng. Mohammad Rabaiah His address is:

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Annex A

List of approved Interventions needs design*

JSCs or LGUs** Approx. Area m2 or Length ml	West Bani Zaid	First JSC
Wastewater treatment plans	5000	2500