

TERMS OF REFERENCE

Apele Moldovei Agency Capacity Building Consultant

1. Background

The Government of the United States of America acting through the Millennium Challenge Corporation (MCC) and the Government of the Republic of Moldova (GoM) signed in 2010 a Millennium Challenge Compact to help facilitate poverty reduction through economic growth in the Republic of Moldova.

The Compact was implemented by the Millennium Challenge Account Moldova (MCA Moldova) over a five (5) year period and included two projects: (i) the Road Rehabilitation Project, which rehabilitated roads in the north-eastern part of the Republic of Moldova; and (ii) the Transition to High Value Agriculture (THVA) Project, which conducted activities to promote the transition to high value agriculture through reconstruction of irrigation systems, irrigation sector reform, facilitating access to finance in agriculture and increased sales of high value products.

To ensure the sustainability of Compact investments in the period after program completion, MCC and the GoM have decided to reorganize MCA Moldova into a successor entity - Sustainable Development Account Moldova (SDA Moldova) (hereinafter – the institution) which among other obligations, has the task to promote the public implementation capacity, extend the irrigation infrastructure, and promote the investments in this field from other donors or financial institutions, as well as from private and public sources.

In addition to this, the institution provides: (1) capacity development support to Apele Moldovei Agency and other Ministry of Agriculture, Regional development and Environment subordinated entities to best serve the needs of Water User Associations and river basin water resources; (2) define and deliver immediate and short-term legal and technical assistance to Compact CIS Water Users Associations (WUA) to advance their capacities to manage new irrigation assets and support other WUAs interested in asset management transfer of irrigation infrastructure following the developed under the Compact Program WUA Law; (3) improve water resource management by using the E-Gov water management systems; and (4) facilitate refinement and implementation of the Nistru River Basin Hydrographic District Management Plan developed during the Compact implementation period.

2. Description of assignment and duration of contract

a. Objectives of the assignment

The incumbent will act as the Capacity Building Consultant (hereinafter – Consultant), will be located in Apele Moldovei Agency's premises and shall provide certain consulting services for Apele Moldovei Agency or its successor designated by the GoM (hereinafter – Apele Moldovei Agency) and for SDA Moldova. The Consultant is expected to provide technical and support services for named above institutions' management in managing capacity building activities related to infrastructure investment and support to WUA activities.

Since the finalization of the Compact Program in 2015, in addition to the rehabilitated irrigation infrastructure, SDA Moldova has invested in construction of three irrigation modules on area covered by the centralized irrigation system (CIS) Chircani-Zirnesti. Currently, SDA Moldova is involved in the design of the drainage system rehabilitation of CIS Cahul and diagnosis analysis of all Irrigation Technological Stations across Moldova. SDA Moldova will also continue to pursue and follow up with all activities typical for the defect notification period on recently built irrigation modules. In addition to this, SDA Moldova work plans includes activities related to ensuring the sustainability of Compact investments through supporting Apele Moldovei Agency in providing necessary assistance to WUAs.

Consequently, the Consultant shall provide all such services and guidance to the Apele Moldovei Agency and SDA Moldova, which will be required at all stages of the planned activities in order to ensure timely execution, respecting the budget and institutions' objectives.

b. Scope of services

The overall scope of assignment is to duly execute the tasks of SDA Moldova's agenda connected with infrastructure investment, ensuring the sustainability of water resources, and capacity building activities according to the arrangements, objectives and approved by the institution working plans.

As Consultant, the incumbent will be responsible for attaining the objectives listed in Section "Position Responsibilities" below. He/she will work closely with Apele Moldovei Agency's management in order to develop the institutional capacity of the Agency. In particular, the Consultant shall manage all capacity building aspect linked to institution activity and its interaction with WUAs. In this respect, the consultant shall work in close cooperation with Apele Moldovei Agency staff engaged in monitoring and supervision of WUAs, as well as with SDA Moldova staff involved in providing support to WUAs and in extending of irrigation infrastructure.

The consultant will use the institution resources effectively in order to accomplish the objectives previously listed in performing the following tasks:

- a. **Apele Moldovei Agency support.** Advise and provide the required technical support to Apele Moldovei Agency according with provisions of Compact Agreement signed by the Government of the United States of America acting through the Millennium Challenge Corporation (MCC) and the Government of the Republic of Moldova (GoM). This includes strengthening the capacity of the Monitoring and Surveillance Unit to carry out the tasks and responsibilities related to WUA in accordance with the provisions of the Chapter V „Monitoring and Surveillance” of the Water User Association Law no. 171 dated July 09, 2010. In addition to this, the consultant will provide support in the process of establishing of new WUA and transfer of the management over selected CIS to them.
- b. **WUA support.** Provide needed support to WUA, including the WUA established outside the Compact Program, which includes but not limited to

support WUAs in their daily activities, including budgeting, planning of irrigation, use of resources, applications for loans, grants, preparing for winter, start up, development of capacity, contracting of services, reporting, etc.

- c. **Diagnostic Study.** Assist Apele Moldovei Agency and work in close cooperation with Consultant contracted by SDA Moldova to prepare the Diagnostic Analysis Report (and the feasibility study which will follow after this phase) of the Irrigation Technological Stations. This will imply field work (coordinate and participate in visits, facilitate meetings, etc).
- d. **Detailed design for rehabilitation of Cahul CIS drainage system.** Assist Apele Moldovei Agency and work in close cooperation with Consultant contracted by SDA Moldova to develop the Detailed design for rehabilitation of Cahul CIS drainage system. This will imply the revision of deliverables, issue of recommendations, participation in the field visits, and facilitation of coordination of design documentation if needed with the other stakeholders,
- e. **Post-construction operations.** The Consultant shall assure proper implementation of the Operation and Maintenance manuals and coordinate adequate technical assistance to the WUAs for CIS operations and will provide support SDA Moldova and Apele Moldovei Agency to complete the transfer of the rehabilitated CIS assets for operation by the WUA and in the signing of the additional agreements to the respective CIS Transfer Agreements.
- f. **Other related tasks.** The Consultant may be requested by the management of the institution to perform other tasks directly related to the above listed tasks, but not explicitly listed.

c. ***Position Responsibilities***

The position of Consultant it is subordinated and reporting directly to the SDA Moldova Support to Apele Moldovei Agency, Water Users Associations and River Basin Management Activity Leader.

Responsibilities and related tasks of the Consultant include but are not limited to:

- a. Assist Apele Moldovei Agency personnel involved in WUAs monitoring and supervision in executing their role related to legal, financial and technical aspects of WUAs activities, as well as provide support to WUAs in mentioned areas;
- b. Assist Apele Moldovei Agency in providing consultation to the initiative groups in the process of establishing of new WUA and transfer of the management over selected CIS to them;
- c. Ensure that Apele Moldovei Agency properly maintains and updates its own WUA Registry, as well as properly monitors the registries of WUAs;
- d. Prepare concise monthly progress reports, including a dedicated chapter for risk identification (such as incorrect maintenance, weather related risks) and suggested actions to mitigate such risks. The format of these reports will be

agreed after entering into a contract agreement (in case of imminent risks the Consultant will inform immediately the team leader verbally or in writing as the situation will impose, and will be included in the monthly reports retroactively);

- e. The Consultant may be requested to prepare other reports regarding the activity of WUAs and present information to the stakeholders according to the current legislation of Republic of Moldova;
- f. Provide support to WUA for contracting outsourced services if needed (such as maintenance contracts of electric and automations systems, mechanic equipment, etc);
- g. Conduct frequent, effective field trips to WUAs offices, irrigation infrastructure locations, including overnight stays when needed, assuring that WUAs management staff, contractors, consultants and stakeholders follow the agreed activity plans;
- h. Ensure that all works and infrastructure activities are in line with environmental and social policies enforced by the government and those adopted by the institution. On any environmental and social matter, keep in permanent contact with cross cutting specialists of the institution and key stakeholders, the WUAs, Apele Moldovei Agency and local public authorities;
- i. Participate in the works commissioning and works acceptance committees and support the contractors and Engineer and facilitate the process of obtaining approvals from authorities;
- j. As may be requested by the Executive Director or Support to Apele Moldovei Agency, Water Users Associations and River Basin Management Activity Leader, execute any other specific assignment connected to the implementation of infrastructure projects and assistance provided to WUAs.

d. Consultant's qualifications and experience requirements

Applicants must meet the following qualification requirements:

- a. **Education:** University degree in engineering, management, or other related fields. Availability of a Master's Degree would be an advantage.
- b. **Working experience and knowledge:**
 - Minimum 7 (seven) years of experience in similar projects and assignments. Experience in working with international organizations would be an advantage;
 - Experience in providing advisory services to public authorities, NGOs and/or private companies on related to this assignment aspects;
 - Ability to articulate issues clearly (written and verbally) and recommend solutions for involved institutions and organizations management;

- Strong analytical and report writing skills;
- Excellent interpersonal skills and proven capacity to manage and solve conflicts and manage crises among various number of stakeholders;
- Excellent communication skills in Romanian and Russian (spoken and written), good English communication skills will represent an advantage;
- Computer literacy (MS Office applications, Internet, etc).

e. Level of effort and duration of assignment

It is expected that overall duration of the assignment will be eight (8) months likely to commence on May 1st, 2018.

The Consultant is employed on a full-time basis. It is expected that the Consultant will spend for providing the services:

- a. Eight hours per day (from 8:30 AM to 5:30 PM, one hour lunch break);
- b. Five days per week (Mondays, Tuesdays, Wednesdays, Thursdays and Fridays);
- c. Days-off in accordance with local public holidays.

f. Location of the services

The Consultant shall provide the services at the Apele Moldovei Agency premises in Chisinau except where missions on site will be required.

The Consultant should take into account that the travel in Moldova as per usual business practice does not exceed one day due to Moldova's small territory, and therefore does not imply additional costs to the usual costs for providing the services.

3. Deliverables

The Consultant shall report and coordinate on technical and project management matters with the SDA Moldova Support to Apele Moldovei, Water Users Associations and River Basin Management Activity Leader. The Consultant shall also coordinate his/her activities with a responsible person designated by Apele Moldovei Agency management. During the entire assignment period, the Consultant and the SDA Moldova will hold weekly meetings to coordinate all technical and other matters arising. The Consultant is also expected to proactively report and/or meet with the SDA Moldova in a timely fashion on ad hoc basis where urgent risks emerge.

The Consultant will develop Monthly Reports summarizing the description of services performed for SDA-Moldova. Monthly Reports and invoices, which will serve as basis for payments for provided services, shall be submitted by the date of 25-th of the calendar month in which services were provided.

4. Facilities to be Provided to the Consultant

The SDA Moldova and Apele Moldovei Agency shall provide to the Consultant the services and facilities as follows:

- a. Make available to the Consultant all documents pertaining to the Consultant's mandate both in hard and electronic copy (where necessary). All documents so provided will remain the property of the SDA Moldova or Apele Moldovei Agency, as appropriate. The Consultant may not dispose of or otherwise make use of such documents without the prior written approval of SDA Moldova or Apele Moldovei Agency, as appropriate;
- b. Provide to the Consultant a fully furnished working place with access to phone/fax/internet at the SDA Moldova and/or Apele Moldovei Agency premises in Chisinau for the duration of the assignment;
- c. Make available printer and paper for printing of handouts as required by the Consultant.

SDA Moldova shall arrange and cover the cost of:

- a. Local transportations for directly related to the execution of the duties under the assignment (e.g. site visits, meetings outside SDA Moldova and Apele Moldovei Agency, etc.). If the Consultant has the necessary driving license, SDA Moldova can provide its own car for execution of the above mentioned duties;
- b. Communication expenses, including mobile phone services, directly related to the execution of the duties under the assignment.