



Request for Proposal

TERMS OF REFERENCE

FOR SERVICES OF A CONSULTANT TO REVIEW AND AMEND THE ANTIGUA AND BARBUDA DRAFT NATIONAL WATER POLICY

1.0 BACKGROUND

Principle No.1 of the Dublin Statement on Water & Sustainable Development suggests that, “Freshwater is a finite and vulnerable resource, essential to sustain life, development and the environment. Effective management of water resources demands a holistic approach linking social and economic development with the protection of natural ecosystems”. Further, UNEP’s GEO-2000 concludes that water management is “inextricably linked with land issues.” “A holistic approach requires: co-ordination of the management of land and water resources, establishment of secure land and water property rights where these do not exist, reorganisation of policies at river basin level, introduction of concepts of shared and equitable water use and alternatives to the use of marginal land” (UNEP 2000).

It is necessary to re-examine previous approaches to water resources planning and management in order to ensure future sustainability. In this regard, a multidisciplinary, holistic and integrated life cycle approach to water resource planning, development and management needs to be formulated. It is also important to recognise the nexus between the watersheds and the coastal areas as they impact on each other. Inadequate management of the water resource can have a significant impact, not only on its sustainability but also on the sustainability of services derived from coastal resources. This can result in severe environmental impacts on key economic sectors such as agriculture and tourism; human health can also be compromised in cases of inadequate quantity and quality of water. Thus, the sustainability of the health and economic development of a country relies largely on the adoption of an integrated approach to watershed and coastal area management.

Integrated Water Resources Management (IWRM) can be seen as a key solution to ensure Sustainable Development of land and water resources which as defined by the GWP is “a process which promotes the coordinated development and management of water, land and related resources in order to maximise economic and social welfare in an equitable manner without compromising the sustainability of vital ecosystems and the environment.” IWRM is the

preferred approach for Antigua and Barbuda, in part because of the impact of the water sector on all other sectors in the country; and the fact that the water sector is a catalyst for economic development and a vehicle for empowerment and poverty alleviation. As such, effective management of the limited water resources is a key consideration to sustainable development.

The Public Utilities Act No. 10 of 1973 is the legal instrument under which the Antigua Public Utilities Authority (APUA) was formed and presently operates. Before the Act, water resources were managed by the country's Ministry of Public Works. The Act transferred this responsibility to the APUA a statutory body which through its 'Board of Commissioners', ensures that the country's potable water supply concerns are addressed.

APUA is a monopoly and the Act (1973) makes it illegal for any other entity to provide water to the general population. This arrangement has ensured the Authority's survival in a relatively small market. The Act and its amendments (1973, 1976, 1979, 1980, 1997) have several existing and potential constraints (James M. Montgomery Consulting Engineers Inc., 1983). For example, the Act empowers the Authority to control any/all of the islands water resources for potable use. This, it can be argued does not give proper consideration to the other potentially beneficial uses of the resource (e.g. irrigation, industry, recreational, ecosystem services).

A draft Integrated Water Resources Management Policy and Roadmap for Antigua and Barbuda was developed in July 2011. This was funded under the Global Environment Facility's (GEF) Integrated Watershed and Coastal Areas Management Project (IWCAM) co-executed by the Caribbean Environmental Health Institute (CEHI) and the Caribbean Regional Coordinating Unit of the United Nations Environment Programme (UNEP- CAR/RCU). The document was the culmination of four years of work which commenced with stakeholder coaching and ended with the development of documents which represented their opinions and interests. The document however, has not to date been sent to the Cabinet of Government Ministers for their approval. Hence in light of the ratification of the Land Based Sources of Pollution (LBS) Protocol by Antigua and Barbuda and the IWRM considerations which must also speak to LBS issues, it would be advisable to update the existing Policy based on this concern and to include emerging issues such as Climate Change and its effects on water resources before seeking Ministerial approval.

In 2013, the Organisation of Eastern Caribbean States (OECS) under the USAID Project Reducing the Risks to Human and Natural Assets Resulting from Climate Change (RRACC) prepared a draft Model Water Policy for OECS countries. The goal of the aforementioned project was to "provide a framework to maximize the contribution of the water sector to sustainable economic, social and environmental development in an efficient and equitable manner" (¹CEHI, March 2013). Issues such as Climate Change and the use of ground water were incorporated within this Model Water Policy towards effective management of the resource based on the principle of IWRM. As such, it would be prudent to revise the National Water Policy 2011 with consideration of the Model Water Policy prepared for OECS countries.

¹ Caribbean Environmental Health Institute (CEHI), March 2013. OECS Model Water Policy- Water Sector Model Policy and Model Water Act for countries within the Organisation of Eastern Caribbean States.

Also in 2013, the Global Water Partnership-Caribbean (GWP-C) launched its Water, Climate and Development Programme (WACDEP) for the Caribbean. The WACDEP is being carried out in partnership with the Caribbean Community Climate Change Centre (CCCCC) and aims to directly support the Caribbean Community (CARICOM) agenda on climate change by facilitating water related adaptation actions as defined in the Implementation Plan for the Regional Framework for Achieving Development Resilient to Climate Change. The overall goal of the WACDEP for the Caribbean is to promote water security and climate resilience in Caribbean States as a key part of sustainable regional and national development for economic growth and human security. One of the key WACDEP objectives is to support countries in the development of appropriate legal frameworks, policies, strategies, sectoral and development plans – integrating water security and climate resilience. WACDEP emphasises an Integrated Water Resources Management (IWRM) approach towards the fulfillment of these goal.

This activity therefore seeks to review and revise the Antigua and Barbuda draft National Water Policy, with consideration of institutional changes to date, on-going processes and highlighting the evolving nature of the water sector due to climate change.

2.0 OBJECTIVE

The overall objective of this exercise is to review and amend the Antigua & Barbuda Integrated Water Resource Policy and Roadmap final draft July 2011.

3.0 SCOPE OF CONSULTING SERVICES

The Consultant will be required to provide the following services:

- a. Utilize the report ‘Information and Legislative Review of Wastewater, Sewage Maintenance And Watershed Practices Within Antigua & Barbuda, December 2008’ to make amendments to the Draft National Water Policy of 2011;
- b. Make recommendations for amendment to the Draft National Water Policy and Road map taking into consideration the principles of IWRM, climate change effects, the OECS model water policy and implementation of commitments derived under the LBS Protocol;
- c. Apply recommended amendments to the Draft National Water Policy and Roadmap taking into consideration the principles of IWRM, climate change effects and implementation of commitments derived under the LBS Protocol;
- d. Circulate draft revised National Water Policy and Roadmap to all stakeholders for feedback;
- e. Make all necessary changes and make final submission of amended Draft National Water Policy and Roadmap for approval by the Cabinet of Government Ministers.

4.0 SPECIFIC TASKS AND DELIVERABLES

In conducting the proposed assignment the Consultant will be expected to use all applicable tools to collect relevant information and to inform the process of policy, legislative and institutional assessment. The Consultant shall propose a methodology and timeline for approval by the Project Management Team.

The Consultant will be required to undertake the following:

Task 1: Inception meeting and preparation of a work plan

The Consultant will have a working inception meeting with the Project Management Team in order to (i) review the process for the conduct of the research; (ii) determine roles and responsibilities; (iii) discuss the basis on which this work will be implemented; and (iv) finalize the work plan and timetable.

Task 2: Literature Review

The Consultant will conduct a review of relevant documentation and background information to include but not be limited to:

1. Draft National Water Policy 2011;
2. Antigua Public Utilities Act No. 10 of 1973;
3. Wastewater Management Strategy for Antigua 2008;
4. Water and Sewerage Regulations;
5. Roadmap Towards the Preparation of an Integrated Water Resources Management (IWRM) Master Plan for Antigua & Barbuda;
6. OECS Model Water Policy, 2013;
7. The Caribbean Community (CARICOM) Regional Framework for Achieving Development Resilient to Climate Change, the Framework and accompanying Implementation Plan;
8. Relevant literature and on-going initiatives related to national policy, legal and institutional arrangements for IWRM;
9. Any existing policy, legal and institutional reviews for IWRM (including lessons learnt and processes involved in any previous or ongoing review or reform processes of such arrangements).

Task 3: Consultation with Stakeholders

The Consultant will conduct stakeholder consultations with relevant water resource management or related agencies; Government departments; non-governmental organizations; community organisations/groups; independent consultants; and other stakeholders to obtain consensus on amendments to the Draft National Water Policy 2011. These consultations must be done in collaboration with the Project Management Team and the attendance and results of discussions must be documented for inclusion in the final report.

Task 4: Amend the Draft National Water Policy of 2011

Based on the results of Tasks 2 and 3, the Consultant will make amendments to the Draft National Water Policy.

Task 5: Submission of Draft Version of Amended Draft National Water Policy

Draft versions of the amended documents will be presented to relevant stakeholders at a facilitated consultative process and draft versions will also be circulated for feedback and recommendations prior to its finalisation.

Task 5: Submission of Final Amended National Water Policy

The Consultant will make all relevant changes based on feedback from consultative processes and submit the final amended National Water Policy to the Project Management Team for Cabinet approval.

Task 6: Submission of final consultancy report

The Consultant will submit to the Project Management Team, a final consultancy report highlighting the nature of the work undertaken noting the level of success and constraints in terms of the methodologies used, the nature and quality of stakeholder participation and any lessons learnt during the process.

5.0 DELIVERABLES AND TIMEFRAME

Draft and finalized copies of all documents are to be provided to APUA and the GWP-C. The following documents are to be provided by the consultant:

1. An Inception Report within one (1) week of signing of the contract. This report will detail the scope of the work, outline the methodology to be used, timelines in the form of a Gantt Chart and milestones of the Consultancy;
2. The Draft version of the amended National Water Policy 2011 no later than seven (7) weeks after signing the contract;
3. The Final version of the amended National Water Policy 2011 and Roadmap capturing stakeholder feedback no later than twelve (12) weeks after signing the contract;
4. Cabinet note on the revised water policy no later than fourteen (14) weeks after signing the contract.
5. The Final Consultancy Report no later than (16) weeks after signing the contract. This report must detail the activities undertaken during the assignment- individuals/groups consulted, lessons learned, etc.
6. Monthly Progress Reports documenting on the status of the consulting services.

6.0 REQUIRED QUALIFICATIONS AND EXPERIENCE

The Consultant/consultancy firm is expected to possess the following:

- Law degree preferably in areas related to sustainable, development, water resources management and/or environmental management. Training and experience in the development of integrated water resources management policies, roadmaps and master plans may be accepted in lieu of a law degree.
- Knowledge and understanding of institutional and policy issues in the Caribbean pertaining to water resources management and climate change
- Excellent research, analytical and writing skills; and prior experience preparing reports and studies, preferably on law and policy related issues would be an asset.
- The Consultant(s) should also have a demonstrated familiarity with Integrated Water Resources Management and related issues.

7.0 PROPOSAL REQUIREMENTS

The Proposal submitted should have the following format:

(a) **Technical Proposal**

The Technical Proposal should contain at the minimum, the following:-

- **Cover Page:** Provides an introduction with the Consultant's name, address, telephone number, website address, purpose and date. Additionally, a designated contact person's name, title, phone number, fax number and e-mail address should be included.
- **Consultant's Biography:** Provides a letter of introduction outlining experience in the industry and the number of years involved in the provision of specialist consultancy services in relation to this RPF.
- **Implementation Approach:** Provide an outline of the implementation approach and timetable. Includes an overall timeline, a description of the project team that will be designated to work on the project.

(b) **Financial Proposal**

The Financial Proposal should provide a detailed budget breakdown of the cost of achieving each deliverable including any costs associated with travel to and from Antigua &

Barbuda. Consultant/s will be expected to make their own arrangements for any one –on-one meeting with stakeholders but group consultations/workshops are expected to be conducted. The costs associated with these group consultations will be borne by GWP-C.

The Price Proposal shall not exceed the available budget of: US\$15 000. Consultants are responsible for Value Added Tax (if applicable) and any other taxes payable as part of the Total Contract Sum.

8.0 PROPOSAL SUBMISSION

Proposals must be submitted to the Chairman of Management Tenders Committee of the National Institute of Higher Education Research, Science and Technology (NIHERST) the host institution of GWP-C.

Proposals can either be submitted electronically via emailed copy at tenders@niherst.gov.tt. or **two (2) copies** of your proposal can be submitted at NIHERST head office, in a sealed envelope with the words:

**"Tender: Consultant for the Antigua and Barbuda Draft National Water Policy (110/2014)
DO NOT OPEN UNTIL 1:00 p.m. (Eastern Time) Friday 24th October 2014"**

ATTENTION: Chairman of the Management Tenders Committee
NIHERST
#77 Eastern Main Road
St. Augustin

NB: Please ensure that the proposal meets the following conditions:

- Prices should be quoted in US dollars.
- Prices should include Value Added Tax (V.A.T) (if applicable) and any other taxes payable within the total cost.
- The tender should be valid for a period of at least 45 days after the deadline date for submission stated below.
- The tender should be made in writing and signed by a person duly authorized by your company.

Please DO NOT submit any proposals to GWP-C directly.

9.0 EVALUATION CRITERIA

Technical Evaluation	
<i>Criteria</i>	<i>Weight</i>
Overall understanding of the assignment and adequacy of the proposed approach <ul style="list-style-type: none"> a) Technical approach and methodology b) Workplan c) Writing Skills 	30%
Demonstrated technical capability of the consultant/consultancy team <ul style="list-style-type: none"> a) Research, analytical and writing skills b) Experience preparing reports and studies, preferably on law and policy c) Law degree preferably in areas related to sustainable, development, water resources management and/or environmental management or training and experience in the development of integrated water resources management policies, roadmaps and master plans d) Familiarity with Integrated Water Resources Management and climate change issues in the Caribbean e) Knowledge and understanding of institutional and policy issues in the Caribbean f) Presence of a GWP- partner organisation on the team. 	70%
Technical Evaluation Total	100%

Financial Evaluation	
<i>Criteria</i>	<i>Weight</i>
Cost of services: i.e. whether adequate/satisfactory as regards: <ul style="list-style-type: none"> a) Accuracy, demonstrating value for money, and affordable given budget b) Cost control measures 	70%
	30%
Financial Evaluation Total	100%

A contract will be awarded to the Consultant whose quotation has been determined to be substantially responsive to the technical requirements and specifications and who has offered the quotation price that represents best value for money on quality and cost basis. The price quoted in the Proposal should be quoted in US dollars and reflect the amount to be paid in Value Added Tax if applicable.

10.0 PROPOSAL EVALUATIONS

All Proposals satisfying the requirements of this Request for Proposals (RFP) will be evaluated to establish which of the Consultants best fulfills the needs of the GWP-C.

From the time Proposals are submitted to the time a contract is awarded, should any Consultant wish to contact the NIHERST tenders management committee on any matter related to its Proposal, it should do so in writing to the submission address listed in this RFP.

Submitted Proposals will be evaluated by an Evaluation Committee. Any effort by a Consultant to influence NIHERST tenders committee in its Proposals evaluation may result in the rejection of the Proposal of the particular Consultant. The successful and unsuccessful Consultants will be notified in writing.

11.0 NEGOTIATION

GWP-C reserves the right to negotiate from the point of evaluation onward, to the award of a contract.

12. CONTRACT AND TERMS AND CONDITIONS

A contract will be prepared in accordance with the GWP-C Standard Conditions for Consulting Services and, upon agreement, shall be executed between the Parties through the host institution NIHERST.

Response Preparation Costs - Any costs incurred by the Consultant in preparing or submitting proposals are the Consultant's responsibility. GWP-C will not reimburse any Consultant for any costs incurred in connection with this RFP.

Use of Information - The information contained in this RFP is not to be used for any other purpose than in responding to this RFP.

Right to Accept or to Reject Any or All Proposals –GWP-C reserves the right to accept or reject any Proposal, and to annul the tendering process and reject all Proposals at any time prior to an award of contract, without thereby incurring any liability to the affected Consultants.

Confidentiality - Information relating to evaluation of Proposals and recommendations concerning the award of a contract shall not be disclosed to Consultants who have submitted Proposals or other persons not officially concerned with the process, until the successful Consultant has been notified of the award of the contract.

Commencement and Delivery - The selected Consultant will be expected to commence the engagement on a date that has been mutually agreed upon by the Consultant and GWP-C.

12.0 PROJECT EXECUTION AND ADMINISTRATION

Upon Award of the contract, a Project Management Team consisting of the Water Business Unit of the Antigua Public Utilities Authority, The Ministry of Agriculture and the Global Water Partnership-Caribbean will administer all technical aspects of this contract. All communications between the Consultant and the Project Management Team for the assigned work should be copied to the General Manager, Antigua Public Utilities Authority; and to the Permanent Secretary, Prime Minister’s Office.

Funding for this consultancy is provided by the Global Water Partnership-Caribbean, WACDEP programme. *GWP-C partners (or teams which include a GWP-C partner) are encouraged to apply. Teams cannot include any GWP-C Steering Committee Members.*