CALL FOR the Procurement of Individual Consultancy Services on Options Regarding Enhanced Transboundary Cooperation Arrangements and Related Organisational Schemes Study

The Global Water Partnership Mediterranean is seeking to hire an Individual Consultant in the framework of the project 'Making Water Cooperation Happen in the Mediterranean', in relation to the "Options Regarding Enhanced Transboundary Cooperation Arrangements and Related Organisational Schemes Study" in the NWSAS basin.

The background of the Project and details about the duties are provided in the Terms of Reference in Annex I.

Type of Contract: Service Contract: the successful candidate will be contracted by						
	GWP-Med's Host Institute, MIO-ECSDE a civil non-profit society					
	based in Greece					
Duty Station:	Tunis, Tunisia					
Period of assignment	Period of assignment/services: 3 months					
Occupation:	Part time engagement					
Application deadline	: 15 February 2018					

The Global Water Partnership (GWP) is a global action network of partner organisations supporting countries and regions in their vision for a water secure world. GWP's mission is to advance governance and management of water resources for sustainable and equitable development. Since 1996 when it was launched, GWP has grown into a network of over 3,000 Partner organisations, 13 Regional Water Partnerships and 87 Country Water Partnerships worldwide. Since 2000, GWP holds inter-governmental status (Global Water Partnership Organisation). For more information: www.gwp.org

The Global Water Partnership – Mediterranean (GWP-Med) is responsible for the Mediterranean region, covering countries of the Near East, North Africa, Southeastern Europe and the European Union. GWP-Med is legally represented by the Mediterranean Information Office for Environment, Culture and Sustainable Development (MIO-ECSDE), holding non-governmental organization (NGO) status, based on a Host Institute Agreement between GWPO and MIO-ECSDE. GWP-Med is serviced by the GWP-Med Secretariat. For more information: www.gwpmed.org

1. Application procedure

Applicants are requested to study carefully the Terms of Reference provided in Annex I. Interested candidates can apply by sending **not later than 15 February 2018**

A. An e-mail to the attention of **Mr. Ali Karnib** <u>(ali.karnib@gwpmed.org)</u> with the indication **"Individual Consultancy Services on Options Regarding Enhanced**

Transboundary Cooperation Arrangements" in the subject, attaching the Technical Note consisting of the following documents:

- A Cover letter explaining why they are a suitable candidate for the advertised position, describing their experience, qualifications and competencies responding to the position's needs. Contents should focus on the background and experience relative to the position's requirements. The cover letter should be 1 page max.
- Their detailed CV, using the model CV form provided in Annex II, including past experience in similar projects and contact details of referees.
 - B. Send by post to the GWP-Med address 12, Kyrristou str., 105 56 Atehns, Greece by the set deadline in a sealed envelop with the indication Financial Offer for the "Individual Consultancy Services on Options Regarding Enhanced Transboundary Cooperation Arrangements", their Financial Offer specifying a total lump sum amount (Annex III). The maximum available budget for this contract is 8,250 Euro, including all taxes.

<u>Incomplete applications will not be considered.</u> Please make sure you have provided all requested information.

2. Evaluation Procedure

Applications will be examined by an evaluation committee as follows:

- A) The Committee will examine the applications and accompanying CVs and motivation letter received in relation to the qualifications listed in the TORs. Applications which do not meet the required qualifications will be excluded from further evaluation. The remaining applications will be further evaluated by the Evaluation Committee, concluding with a short list.
- B) The Evaluation Committee may decide to hold personal interviews with the short-listed applicants. Applicants called to an interview may be requested to submit in printed format prior to their interview all documentation supporting their declared qualifications.
- C) The final evaluation will be based on the evaluation of the technical and financial offer. The candidate to be selected will be the one evaluated and determined as:
 - Responsive to the procedure described herein;
 - Compliant to the ToR of the post;
 - Having received the highest score out of a pre-determined set of weighted criteria (see below)

Technical Criteria - max. 100 points:

- Criteria A Academic Qualifications/Education as indicated under the ToR section entitled "Qualification and Experience" (max points: 20)
- Criteria B Required Experience as indicated under the ToR section entitled "Qualification and Experience", and evaluation of the motivation letter (max points: 30).
- Criteria C Number of similar projects as indicated under the ToR section entitled
- "Qualification and Experience" (max points: 50)

For the overall score (OS) which will determine the ranking of offers, technical evaluation will be weighted with 70%, financial offer with 30%.

The final listing of the most advantageous offers will be made on the basis of the following formula: OSi = 0,7* (TNi/TNmax) + 0,3 * (FOmin /FOi). With TN: Technical Note And FO: Financial Offer

For further information or clarification, please contact: secretariat@gwpmed.org

Athens 05 February 2018 The Chairman of GWP-Med Prof. Michael Scoullos

Annexe I

Terms of reference: Options Regarding Enhanced Transboundary Cooperation Arrangements and Related Organisational Schemes Study

In the framework of:

'Making Water Cooperation Happen in the Mediterranean' Project

February 2018

Disclaimer: The use of characterizations, names, maps or other geographical statements in this document in no way implies any political view or positions of the Parties which are executing and implementing the Project.

For more information, please contact



Web: www.gwpmed.org

Headquarters: 12, Kyrristou str., 10556 Athens, Greece T: +30210-3247490, -3247267, F: +30210-3317127 E-mail : secretariat@gwpmed.org

A. Introduction

The North-Western Sahara Aquifer System

The North-Western Sahara Aquifer System (NWSAS) covers a total area of one million km^2 . It is shared among Algeria (700 000 km^2), Libya (250 000 km^2) and Tunisia (80 000 km^2). It has an estimated water potential of 60 000 billion m³ but most of this reserve is non-renewable water. The recharge is estimated to only 1 billion m³/year.

Water withdrawals from the NWSAS increased from 1 billion m³ in 1980 to around 2.8 billion m³ in 2012; leading to a considerable decrease of the water table and an increase of the water salinity.

Aiming to improve scientific knowledge about the aquifer and inform the decision making towards a sustainable use of the shared water resources, a NWSAS Consultation Mechanism (NWSAS CM) was established in 2002 serviced by the Sahara and Sahel Observatory (OSS) for its secretariat, while a Coordination Unit is directed by a Coordinator designated by the countries in a rotation of 2 years.

The objective of NWSAS CM is to "facilitate technical coordination among the countries, identify hydraulic problems and possible solutions and promote participatory management through dialogues". Practically, the operation of the NWSAS CM is close to an "Observatory for the Aquifer-Basin" that is responsible for technical and scientific issues related to water use, data collection, information exchange and consultation, and joint elaboration of simulation models. The Consultation Mechanism is also charged with a number of additional tasks, including publication of relevant documents that synthesise data analysis on the exploitation of water resources and its implications..

The NWSAS countries have clearly expressed their interest, during the meeting of 20-21 November 2013 in Algiers, in strengthening the institutional framework of the CM as one of the means to contribute to an effective implementation of the integrated management of water resources in the NWSAS countries.

The Project

Responding to the need indicated above, activities have been designed to "Facilitate the enhancement of coordinated and integrated management of shared waters in the NWSAS basin and catalyse action at towards their sustainable management. It will do so by introducing the Water, Energy, Food and Ecosystems Nexus approach, analysing the institutional and legal framework, facilitating the countries to discuss and assess options for a new institutional arrangement and the elaboration of a strategic shared vision to enable long-term sustainable management of the NWSAS at transboundary level."

This is one of the aims and group of activities of the sub-component focusing on NWSAS under the Component 1 "Enhance Transboundary Water Cooperation" of the project "Making Water Cooperation happen in the Mediterranean" funded by the Swedish International Development Cooperation Agency (SIDA).

The second aim is to "Facilitate the sustainable management of the North-West Sahara Aquifer System (NWSAS). It will do so by adding to existing and strengthening the knowledge base with solid technical work and by enhancing the policy process and developing of a long term (20 years) Strategic Shared Vision (SSV) for the management of the NWSAS reflecting the needs and aspirations of stakeholders of different sectors."

This project "Making Water Cooperation happen in the Mediterranean" aims at making tangible advancements on priority issues of sustainable water resources management, at regional and transboundary levels in the Mediterranean with a focus on the MENA region, as means for enhanced regional cooperation among countries and towards meeting sustainable development objectives and strengthening regional stability and peace.

Algeria, Libya and Tunisia are the beneficiary countries of the NWSAS related sub-component.

The **Global Water Partnership-Mediterranean (GWP-Med)** is responsible for the overall coordination and management of the Project "Making Water Cooperation happen in the Mediterranean". **The NWSAS sub-component** of Component 1 is implemented in cooperation with the Sahara and Sahel Observatory (OSS), the United Nations Economic Commission for Europe (UNECE), and the Royal Institute of Technology (KTH, Stockholm).

The Steering Committee for the NWSAS project sub-component (SC) is composed of the:

- Focal points, designated representatives of the 3 countries sharing the NWSAS (Algeria, Tunisia, Libya);
- Members of the Permanent Technical Committee of the NWSAS Consultation Mechanism;
- Representatives of the project partners (GWP-Med, UNECE, OSS, KTH).

B. The Study

1. Background

An Institutional and Legal Framework Analysis Study had been prepared under the Water, Climate and Development Programme (WACDEP) to analyse the institutional and legal settings regarding water resources management at the transboundary and national levels to assess capacity constraints and limitations. The study focused at two levels:

(i) National level

The study describes the existing and, where applicable, upcoming or in-the making status as it regards national institutional (national agencies, authorities and regulating bodies in charge of management, control and enforcement – including description of their competences), legal and regulatory framework in a number of fields regarding water resources and aquifer management. It also de

scribes briefly available tools to regulate the interface among national and sub-national actors, including as it relates to water resources and aquifer management, as applicable.

(ii) Transboundary level

A legal analysis of the current cooperation arrangement and an institutional assessment was done with the aim to:

- i. Identify the missing elements in terms of legal and institutional arrangements at transboundary level so as to move from the current state to a full-scale cooperation;
- ii. Identify the limitations in addressing issues at the transboundary level as an outcome of:
 - Organisational deficiencies;
 - Mandate of the cooperation arrangement.

2. Description of the Assignment Options Regarding Enhanced Transboundary Cooperation Arrangements and Related Organisational Schemes Study

Building on the results of the Institutional Analysis Study *the <u>Options Regarding Enhanced Transboundary</u></u> <u>Cooperation Arrangements and Related Organisational Schemes (Study)</u> aim to foster the establishment of an appropriately scaled institutional arrangement to enable improved cooperation for the sustainable management of the NWSAS as strengthening of the existing cooperation structure, i.e. the "Consultation Mechanism".*

The Study will assess the need for a new Cooperation Arrangement (CA) and will describe:

- Options regarding transboundary CA. The CA options should be proposed as strengthening of the existing cooperation structure, i.e, the "Consultation Mechanism".
- Related Organisational Schemes appropriate for the management of the NWSAS.

Combination of Options regarding transboundary CA and related Organisational Schemes should form different Cooperation Scenarios.

The Study will draw on and use:

- the Institutional Analysis Study;
- international experience on shared river and aquifer basin management;
- bilateral/multilateral arrangements on shared water resources management e.g. the case of the Nubian aquifer;
- expert opinion.

The Cooperation Scenarios that the Study will identify will be discussed during the NWSAS Consultation Mechanism meetings and by NWSAS Consultation Mechanism members and the NWSAS countries to choose those 2 that will be the scenarios that will be assessed through a Feasibility Study (to be procured after the end of the current Study). The Feasibility Study will analyse in depth the chosen by the countries Scenarios. The countries will then choose for implementation (if negotiations among countries are successful) the one that is most appropriate at technical, socio-economic and political level.

Objectives

The objective of this assignment is, by using best available experience regarding transboundary aquifers management and the outcomes of the institutional analysis study, to investigate and provide NWSAS countries with options and scenarios in terms of transboundary cooperation arrangements and related organisational schemes to choose from.

Requested Services

The Legal and Institutional Expert (hereinafter "Consultant") should:

- 1. Analyse the needs in terms of transboundary cooperation in the NWSAS. The analysis should be prepared using at least the following:
 - a. Outcomes of the Institutional Study
 - b. Structured interviews with key representatives of the NWSAS countries
 - c. Outcomes of the first regional consultation workshop for assessing the Water-Food-Energy-Ecosystems Nexus in the NWSAS organised in 18-19 July 2017 in Algiers, Algeria.

 Describe four to six options to organize the work of the NWSAS countries at the transboundary level to respond to the identified needs. Doing so, the consultant will use both the following: (i) examples of existing arrangements of interstate cooperation for the management of transboundary aquifers and river basin and (ii) provisions of international law.

Each option should refer to and elaborate on the items below:

- a. Type of legal arrangement; whether this should be an International Agreement, Memorandum of Understanding or other type of legal arrangement.
- b. Opportunities that it will present for administrative cooperation, dispute resolution, expert input, participation of stakeholders, etc.
- c. Opportunities that it will present for assisting countries in optimizing their use of resources, increasing efficiency and addressing intersectoral impacts.
- d. Issues that cooperation will address and whether these extend beyond the water sector.
- e. Institutional structure
 - i. A sketch of the organization chart
 - ii. Decision making process; rules of procedure
 - iii. Existence or not of a joint commission including: (i) responsibilities; (ii) representation; (ii) mandate; (iv) duration of mandate; (v) whether decisions will have a binding character or not
 - iv. Existence and responsibilities of Secretariat of the Joint Commission
 - v. Existence and responsibilities of Expert Working Groups
- f. Technical work
 - i. Exchange of information including type of information, Institutions involved
 - ii. Means use for the exchange of information
- g. Approximate cost of different options and financing schemes
- 3. Describing the different options, the consultant should indicate in enough detail the suitability of each Option to the NWSAS case in terms of:
 - a. Achieving smooth evolution from the current arrangement of transboundary cooperation to any new Option.
 - b. The future role of the existing structures of the Consultation Mechanism.
 - c. Compatibility with institutional and legal structure at national level.
 - d. The specificities in the area in terms of (i) water availability; (ii) economic activities; (iii) socioeconomic and political situation.
 - e. The smooth evolution/consolidation of the current functioning of the Coordination Unit and the Secretariat of the Consultation Mechanism serviced by OSS.
- i) Identify practical examples of implementation and practice in connection with the respective proposed CA options where water resources, energy, agriculture/food, ecosystem and aquifer management are involved.

Contract Price

- 1. The lump sum fee for this assignment is 8,250 Euro.
- 2. This amount includes all other costs, income taxes and any other amount payable or cost that may be required for the completion of the work/service.
- 3. All payments shall be upon reception and acceptance/verification of the deliverables, as laid out in the table below.

The activity will be delivered under the lead and guidance of the GWP-Med project manager in cooperation with designated staff of the OSS. The Coordinator of the NWSAS will provide strategic guidance.

The Consultant may be asked to travel to participate in working and/or consultation meetings. GWP-Med will arrange and separately cover traveling to the places the meeting will take place.

The Consultant will be paid a fixed amount and payments will be made based on deliveries (see below). Claims for payment will be made through an Invoice accompanied by proof of delivery.

The consultancy will commence work on 26 February 2018 and continue until completion but no later than 30 May 2018. The consultancy may be extended if further work is required or unexpected delays occur.

3. Schedule of Activities, Deliverables and Payment

Task	Deliverables	Deadline	Payment
Task 1) Preparation of draft Detailed Outline and Questionnaire as described under "Requested Services" No. 1	Draft Detailed Outline and Questionnaire	2 March 2018	
Task 2) Incorporate comments provided by project manager and finalise the Detailed Outline and Questionnaire	Final Detailed Outline and Questionnaire	7 March 2018	
Task 3) Preparation of first draft report as described under "Requested Services" No. 1	First draft report	15 March 2018	
Task 4) Incorporate comments provided by project manager and finalise a second draft report	Second draft report	20 March 2018	20 %
Task 5) Preparation of draft Detailed Outline as described under "Requested Services" No. 2	Draft Detailed Outline	25 March 2018	
Task 6) Incorporate comments provided by project manager and finalise the Detailed Outline	Final Detailed Outline	30 March 2018	
Task 7) Preparation of first draft analysisreport as described under "RequestedServices" No. 2	First Draft report-	10 April 2018	
Task 8) Incorporate comments provided by project manager and finalise a second draft report	Second Draft report	20 April 2018	30 %
Task 9) Preparation of draft Detailed Outline as described under "Requested Services" No. 3	Draft Detailed Outline	25 April 2018	
Task 10) Incorporate comments provided by project manager and finalise the Detailed Outline	Final Detailed Outline	30 April 2018	
Task 11) Preparation of first draft analysis report as described under "Requested Services" No. 3	First Draft report	10 May 2018	25 %

Task 12) Incorporate comments provided by project manager and finalise a second draft report	•	15 May 2018	5 %
Task 13) Incorporate comments provided by project manager and finalise all reports	Final reports	30 May 2018	20 %

Expert working days and Duration of the Contract

The total man days for the assignment is 25 days and the overall duration of the contract will be 3 months.

Location and Language of the Assignment

The location of the assignment will be the location that the Consultant lives.

The language for all documents and reports as well as for all communication is English. Bad quality of English in the report will provide grounds for the final payment not to be made.

4. Qualification and Experience

a. Education

A university degree in law and post graduate or professional qualifications in water management or environmental management, or equivalent is required.

b. Work Experience

The Consultant is required to have:

- Minimum 6 years of professional experience in the water sector and particularly on governance issues, with emphasis on legislative/institutional aspects.

- Experience on Integrated Water Resources Management (IWRM), governance of transboundary aquifers, including elaboration of related assessments -particularly on institutional and legislative aspects- at regional and national levels.

- Proven Experience in working in the NWSAS countries.

c. Key Competencies

The Consultant is required to have the following competencies and skills:

- Very good understanding of the International Water Law, water resources and environment management.

- Excellent written and spoken English and French

Proven knowledge of water basin management and water related agenda at national and transboundary levels, including programmes and donors in the NWSAS Basin area is desired.

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<u>ANNEX III</u>

Financial Offer

Price Table

	Total lump sum in € (Taxes included)
Expert Remuneration	