

Terms of Reference for Regional Expert

Title of ToR:

Methodology for Good Governance Benchmarking on Water and Sanitation Sector in SEE.

1. Background

Water is an important local topic, not only because of climate variability and change but also because of pressure on water systems and water resources due to the increasing population and a growing population living in urban areas.

Water infrastructure in the South East Europe region is ageing, the technology is outdated and governance systems are often ill-equipped to handle rising demand, environmental challenges, continued urbanization, climate variability and water disasters. Significant investment is required to renew and upgrade infrastructure. The decentralization resulted in opportunities to customize policies to local realities, but also raised capacity and co-ordination challenges in the delivery of public services.

The project “Local Leaders in South East Europe – Lead for Change” implemented by NALAS, financially supported by GIZ is developing capacity and introducing modern management practices in the municipal administration and enterprises with a particular emphasis on the improvement of the municipal services. In addition, the project aims to provide assistance in development of the subsequent capacity for absorption of dedicated international funds related to water and sanitation sector as well as implementation of projects that are funded by international donor programs.

The project fosters exchanges and disseminate modern management standards and norms among municipalities and municipal enterprises in the partner countries via the respective associations or networks.

Application of the Good Governance Principles in the water and sanitation sector is undoubtedly one of the preconditions for achieving modern management standards and norms leading to improvement of the provision of water services at local level.

Good governance is a requirement at all levels of the public administration. At local level it is of fundamental importance because local government is closest to citizens and provides them with essential services and at this level they can most readily feel ownership of public action. Good governance is a multi-faceted concept, drawing on principles, rules and practices developed across the world.

The Council of Europe’s “Strategy for Innovation and Good Governance at Local Level” takes account of the work on good governance already carried out by the Council and other international organizations. Their experience and outputs and in particular the Council of Europe’s own acquis in the fields of democracy, human rights and the rule of law, may be drawn together into the twelve Principles of Good Democratic Governance.

From other side, more specifically the good governance in the water sector is paved by the twelve OECD Principles on Water Governance that seek to assist governments at all levels to strengthen water governance to fit for current and future water challenges. The principles intend to contribute to tangible and outcome-oriented public policies, based on three mutually reinforcing and complementary dimensions of water governance: Effectiveness; Efficiency; Trust and Engagement.

A necessary precondition for the implementation of the Good Governance Principles is that local authorities have the powers, responsibilities and resources enabling them “to regulate and manage a



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substantial share of public affairs under their own responsibility and in the interest of the local population”¹.

Implementation of environmental policies, especially water policies, is one of the European Commission's key priorities. The EU's Water Directives are binding targets for the EU member states and the countries on the way to EU accession in the region of SEE. However, there is a large differences in municipal water and waste water management performance between the municipalities and respective countries in the region.

Besides the responses to the technical, infrastructure and financial challenges the local governments' policy responses will only be viable if they are coherent, if stakeholders are properly engaged, if well-designed regulatory frameworks are in place, if there is adequate and accessible information, and if there is sufficient capacity, integrity and transparency. In this regard, the relevant European and global development agencies such as OECD and UNDP have provided evidence on the main governance gaps hindering water policy design and implementation. The RCC Balkan Barometer 2016 – Public Opinion Survey for instance clearly expresses that the efficiency of the public institutions and good governance are seen as the key problems. Credibility of public institutions is low and the governance is the main obstacle to growth and development.

As poor water governance results in unequal access to water resources and services, especially for the poor, it also contravenes the human right to safe drinking water and sanitation. The United Nations General Assembly explicitly recognized the human right to water and sanitation (Resolution 64/292; 28 July 2010) and acknowledged that clean drinking water and sanitation are essential to the realization of all human rights.

The responsibility for municipal water and sanitation management primarily lies with the public sector, therefore, it is very important to provide an evidence base, define policy recommendations and the most efficient measures for meeting the targets imposed by national legislation and EU directives.

The challenges faced today by water and sanitation management entities at local level go beyond simple drinking water delivery and waste water drainage. These challenges involve not only regulatory and law abiding, but also performance assessment by quantification of the system's Efficiency; Effectiveness; Trust and Engagement in the spirit of good governance principles. Therefore, comparative analysis of the current status of the municipal water and sanitation management in SEE from the perspective of good governance principles in the frame of the Benchmarking system could contribute in this regard at the local, national and regional level.

In order to provide systematic and structured data collection of the good governance aspects within the water and sanitation sector in SEE region, **NALAS is seeking for a competent Regional Expert who will develop a Methodology for establishment of the Benchmarking on Good Governance in Water and Sanitation Sector in SEE**, including necessary indicators as well as the template for the regional report.

2. Assignment objective(s)

The main objective of the assignment is to develop a Methodology for establishment of Benchmarking on Good Governance in Water Sector in the region of SEE.

¹ Article 3.1 of the European Charter of Local Self-Government

3. Benchmarking purpose and approach

The water governance is highly context-dependent, however the aim of the Benchmarking on Good Governance in Water Sector is to be a practical system of measurement and comparison of the variances. The Benchmarking purpose includes but will not be limited to:

1. producing a state of the water governance at local level within a sample municipalities and at national level of the particular country that could be used as a base to assess changes over time;
2. providing for regional comparisons of water governance capacity among countries in SEE region

The twelve Good Governance Principles of the Council of Europe as general principles applicable in the local government system in combination with the twelve OECD Principles on Water Governance are considered as a base for development of the Methodology for Benchmarking:

http://www.coe.int/t/dgap/localdemocracy/Strategy_Innovation/12principles_en.asp

<https://www.oecd.org/gov/regional-policy/OECD-Principles-on-Water-Governance-brochure.pdf>

The Benchmarking should review and define aspects of good governance and presents a strategy for assessing water good governance based on the good governance principles (CoE and OECD) by considering the publicly available data on water management functions provided by various actors in the region of SEE. Therefore, the proposed Methodology shall take into consideration the data and indicators provided by IBNET and Danubis in order to assess whether they can be used and can contribute to the indicators for assessing of good governance. In addition, for each of the indicators on good governance, a link to the performance indicators and data (if any) shall be established accompanied by description and justification of this correlation. Utilization of already available data and indicators as well as avoiding of overlapping with existing information for particular indicators of water good governance is an imperative.

IBNET

The International Benchmarking Network for Water and Sanitation Utilities (IBNET) is an initiative to encourage water and sanitation utilities to compile and share a set of core cost and performance indicators, and thus meet the needs of the various stakeholders. The objective of IBNET is to support access to comparative information that will help to promote best practice among water supply and sanitation providers worldwide and eventually will provide consumers with access to high quality, and affordable water supply and sanitation services.

<https://www.ib-net.org/>

DANUBIS

The DANUBIS.org Water Platform is an online repository of resources on water and wastewater services in South-East, Eastern, and Central Europe. DANUBIS.org is jointly managed by the World Bank and IAWD, the International Association of Water Supply Companies in the Danube River Catchment Area.

DANUBIS (Danube Utility Benchmarking and Information Sharing) is an online repository of resources on water and wastewater services in South-East, Eastern, and Central Europe. It was launched in May 2014 by the Word Bank and IAWD, the International Association of Water Supply Companies in the Danube River Catchment Area, with financing from the Danube Water Program.

<http://www.danubis.org/>

Besides the available online data bases, “A State of the Sector Report 2015 - Water and Wastewater Services in the Danube Region” published by IAWD in the frame of the Danube Water Programme provides important information on water services in the Danube river region which in large extend covers the territory of the South East Europe.

A State of the Sector Report The report analyzes the organization of services in the region and the level of access to services, that is, how well countries are doing in terms of providing access to water and wastewater services for the entire population. It then looks at the performance of the sector, including the quality of services provided and customer satisfaction with it. It also draws a picture of the efficiency of services, including whether they reflect accepted good practices. Finally, it analyzes the financing of services, looking at whether the financing of operation, maintenance, and investments is secured and affordable. The report is complemented by 16 countries and seeks to encourage and inform a policy dialogue around sector challenges rather than provide a definitive set of policy recommendations.

<http://sos.danubis.org/eng/report/foreword/>

In addition, the Regional Cooperation Council's "Balkan Barometer 2016 – Public Opinion Survey" and its section "Confidence in and Perceptions on Independence of Public Institutions" provides overview of the good governance aspect and credibility of public institutions.

Balkan Barometer The Balkan Barometer is envisioned as an integral part of the annual monitoring process of the SEE 2020 Strategy. Balkan Barometer's role is to engage directly with the region's citizens and businesses to get their views on topics covered by the SEE 2020 Strategy.

http://www.rcc.int/seeds/files/RCC_BalkanBarometer_PublicOpinion_2016.pdf

The data sources such as line ministers and state statistical offices of the countries in SEE, Eurostat, European Environment Agency, IWA – the International Water Association etc. shall be also analyzed and clearly identified and described if they contribute towards indicators for good governance at local level.

The NALAS Benchmarking on Good Governance in Water Sector in the SEE will acts as a source of credible information on Water and Sanitation Management (WSM), useful to NALAS' member associations, and more general policy community by providing all concerned with reliable data in the region and in comparison with their counterparts in the EU, therefore setting a stage for further discussions of performing municipal WSM over time, in each country and regionally.

The data collected and report produced based on the Methodology will be used for the monitoring of the implementation of the strategy SEE 2020, and will be a part of the NALAS Regional Decentralization Observatory.

NALAS Decentralization Observatory The Observatory addresses the need to improve the application of the Subsidiary Principle in delivery of public services in SEE, in compliance with the standards stated in the European Charter of Local Self-Government. It will enable conditions for informed decision-making. Namely, NALAS SEE Decentralization Observatory will provide target groups with comprehensive monitoring of the municipal services, input in the intergovernmental discussions, and even, indirectly, ways to improve investments at all levels of territorial division with the means of structured data collection. SEE Decentralization Observatory will contribute to the implementation of the SEE 2020 Strategy by offering model and solution for structured and well committed governance monitoring mechanism. Water and sanitation sector services at local level are considered as an integral part of the Observatory which, in its initial stage includes municipal solid waste management and fiscal decentralization aspects.

The Benchmarking will provide national and local policy makers, researchers, and interested external observers with reliable comparative data on municipal good governance in water sector South East Europe.

The members of the **NALAS Task Force on Solid Waste and Water Management** support the implementation of the LLSEE project by provision of technical assistance, sharing experiences and initiatives for better realization of the project activities. Thus, the Task Force's members are considered as a core team of local experts who will be actively involved in the establishment and implementation of the Benchmarking on Good Governance in the water and sanitation sector in SEE.

The Methodology for establishment of the NALAS Benchmarking on Good Governance in Water Sector in SEE developed by the Regional Expert has to be prepared through a collaborative effort of the NALAS Task Force on Solid Waste and Water Management. It is important to be clearly stated within the Methodology that the data and indicators used for the upcoming report have to be provided and agreed with the Task Force members, supported by the Knowledge Managers, while the report has to be approved by the NALAS's members – Local Government Associations.

The value of NALAS Benchmarking increases with each country of SEE that provides data on good governance in water sector and becomes a participant of this exercise. It is expected that **12 countries of SEE region will actively participate in the implementation of the Benchmarking.**

The Benchmarking on Good Governance shall be **focused on the lowest level of sub-sovereign government**, meaning democratically-elected municipal or communal governments.

In the process of proposing the **indicator systems**, series of issues should be taken into account which are thoroughly described in the section "10 Questions for Discussion" of the OECD Water Governance Indicators: A Tentative Proposal (May 2015).

In particular, as many of the criteria which make up the qualitative indicators are subjective in their nature, it is important to provide **clear guidance** to the "assessors" – the Task Force's members, as well as to provide an "independent arbitration" by the Regional Expert, who will check that individual assessors have interpreted the available information in a consistent manner. Therefore, for each of the indicators developed, besides the name of the Indicator, measurement unit, its rationale, the way of calculation and measurement method, a definition for each indicator shall be developed.

The Methodology has also need to provide a **template on the Report on Water Good Governance Benchmarking** with necessary findings and recommendations that will provide basis for a national dialogue of water governance status and the causes of any perceived deficiencies, as well as initiation of regional actions.

The experiences in preparation of five editions of the "**Report on Fiscal Decentralization Indicators for SEE**" of the NALAS Task on Fiscal Decentralization, as well as two editions of "Benchmarking on Solid Waste Management in SEE" shall be considered in the process of development of the Benchmarking methodology Good Governance in Water Sector in SEE.

4. Reference persons

Reference person for the mission is the Project Officer, Boran Ivanoski
Email address: ivanoski@nalas.eu

5. Main Activities and Related Outputs/deliverable

The expert shall execute the following activities and deliver related outputs:

Activity	Related output/deliverable	Expert days	Deadline for implementation of the activity
1. Development of a Methodology for establishment of a Benchmarking GG in WS in SEE.	Developed draft of the Benchmarking Methodology and respective indicators, research instruments (questionnaire etc.), approach and report template.	13	01 December 2016
2. Consultation with the NALAS TF members of the draft Methodology	Methodology presented, discussed and consulted with the members of the NALAS TF during the regular meeting. Feedback from the TF members obtained.	3	15 December 2016
3. Finalization of the Methodology based on the feedback provided by the TF members.	Final version of the Methodology submitted to NALAS	3	20 December 2016
4. Preparation of the Assignment Report	Narrative Assignment Report submitted to NALAS	1	25 December 2016
	TOTAL expert days	20	

The expert will ensure that all abovementioned activities are appropriately documented. He/she is expected to work closely with NALAS programme team and NALAS Task Force on SWWM. All documentation/correspondence/presentations shall respect the project's visibility guidelines, as provided to the expert by the Project Officer.

6. Timing and duration of mission/s

All above listed tasks and activities and the production of the expected outputs are envisaged to take place between **25 October 2016 and 25 December 2016**.

The total number of man/days that shall be necessary to complete the activities listed under point 5 of this ToR is 20.

7. Reporting

The Regional Expert shall provide a Mission Plan that is to be reviewed and approved by the Project Officer referenced in point 4 of this ToR (following the template in Annex 1 to this ToR), not later than 3 days after the signing of the contract.

A Final Mission Report with all related outputs shall be submitted to the Project Officer for reviewing and approval, not later than 25 December 2016. The Final Assignment Report with all related outputs, shall also state observations on problems/risks encountered and recommendations for improvements/additional activities/risks mitigation actions.

8. Terms and Payment

The Regional Expert will be hired under an Individual Contract (IC) and will be paid in EURO upon submission and approval of each of the deliverables listed above in the point 5 of this ToR. The expert shall provide timesheet together with the deliverables in order to proceed with the payment.

The payment conditions indicated herein represents the maximum amount of expert days to be paid for the particular deliverable and will be based on the actual number of working days invested for the development of each deliverable.

The amount paid shall be gross and inclusive of all associated costs such as social security, pension and income tax in accordance to the Macedonian Law. Assignment-related travel and accommodation costs outside of expert's home base will be borne by NALAS upon submission of documentation.

9. Expert profile

The Regional Expert shall comply with the following qualifications and skills requirements:

Competencies

Technical Competencies:

- Excellent analytical and writing skills. All documents shall be prepared in the English language;
- Excellent communications and facilitation skills.
- Full computer literacy.

Corporate Competencies:

- Demonstrates integrity by modeling NALAS values and ethical standards;
- Promotes the vision, mission, and strategic goals of NALAS;
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability;
- Treats all people fairly without favoritism.
- Client Orientation: Organizes and prioritizes work schedule to meet client needs and deadlines; Responds to internal and external clients in a timely and appropriate fashion.
- Team Work: Acting as a team player and facilitating team work.

Required Skills and Experience

Academic qualifications:

- Advanced degree (at least Master's or equivalent) in environment, technical science or engineering. PhD will be considered as an asset.
- Specific training/additional education relevant for the topic will be also considered as an asset.

Professional Experience:

- Have extensive (over 5 years) international practical and consulting experience in the area of Municipal Water and Sanitation Management.
- Have demonstrable experience of policy development at municipal and regional level in the countries of SEE; participating in development of at least 3 local policies.
- Proven experience in setting Municipal Water and Sanitation Management indicators. Performing at least 3 assignments related to setting indicators in MWSM.
- Understanding of the local government system in the countries of SEE, its specifics and challenges, specifically local good governance and decentralization issues. Performing at least 3 assignments related to application of good governance principles at local level.
- Conducting at least 3 studies and/or analysis related to Municipal Water and Sanitation Management at local level.
- Previous experience of at least 5 years in working with the representatives from central and/or local government level institutions of the countries of SEE region on issues related with the assignment.
- Experience in working within NALAS network and local government associations in the region of SEE.
- Knowledge/experience with EU legislation and legislation of the project countries relevant for the assignment.

Language Requirements:

- Language proficiency in both written and oral English language.

NALAS strives to assure equitable representation of women and minorities in all its activities.

Experts must be independent and free from conflicts of interest in the responsibilities defined by the Terms of Reference.

10. Performance indicators

The indicators reflecting the expert's performance are: timely presentation of results and outputs, quality of documents and reports to be provided to the Project Officer.

11. Evaluation of work

The performance of the tasks will be assessed by the Project Officer.

12. Application procedure

The interested candidates are required to send the following documents in English:

- **Cover letter** that clearly states motivation and qualification for the position and tasks described within this ToR for each of the points given within the section “**Required Skills and Experience**”.
- **Personal CV** including past experience in similar projects, and
- **Financial offer** shall specify gross amount per man-day in EUR.

Application will be accepted by e-mail at: **info@nalas.eu**

The **deadline for submission** is **16:00, Friday, 21 October 2016**.

Annex 1

EXPERT MISSION PLAN

1. Expert (Name)	

2. Mission duration	
Start date:	
Finish date:	

3. Task / Topics: <i>Please add as many rows as necessary (see TOR for the Assignment and make sure it complies with ToR and deliverables from previous missions, if any)</i>	
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4. Planned/indicative activities: <i>Please add as many rows as necessary</i>		
According the mission duration insert (as many rows as necessary)	Activity	Counterparts to meet
Day 1		
Day 2		
Day 3		
Day 4		
Day 5		
<i>Please note that last day of Mission should foresee a meeting for presentation of Mission outcomes to Team leader/ Beneficiary</i>		

5. Planned results / outputs related to the mission: <i>Please add as many rows as necessary</i>	

6. Other Issues / Assumptions	

Annex 2

MISSION REPORT

Expert is required to prepare a mission at the end of each Mission. This report should be submitted/send to the Project Officer with the Time Sheets. Payment of fees will be conditional upon approval of outputs of the Mission report. The following is the layout and content of the report.

1. Expert (Name)

2. Mission Reporting Period	
Start date:	
Finish date:	
Total mandays approved for the assignment	
Days utilized in the reporting period	
Days utilized start-to-date	

3. Purpose of Mission

4. Main activities undertaken

5. Outputs delivered

6. Activities for next mission

7. Comments/Important risks/issues associated with the project/activities undertaken

Annex(es):

(Please add all Annexes, incl training handouts, deliverables)

Signature of the Expert / Date of the Report		
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Project Officer Approval	
Signature/Date:	
Comments	

Time Sheet

Project Title	
Contract Nr.	
Contractor:	NALAS
Expert's Name:	
Position:	

Period

_____ (month) _____ (Year)

Date/day	Activity nr.	Working Day (\leq 22/Month)	Per Diem	Location	Short Description of Activities
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Total working days

0,0

**Total Per
Diems**

0,0

Expert

(signature, date)

**Project
Officer**

(signature, date)