

## REQUEST FOR EXPRESSIONS OF INTEREST

Republic of Moldova

Moldova Water Security and Sanitation Project

**Credit No.:** 7027-MD

**Reference No.:** MD-PIU-NORLD-421236-CS-INDV

**Assignment Title:** Legal specialist for support to delegation contracts (Part – Time Assignment)

**Date:** April 30, 2024

Moldova Water Security and Sanitation Project (MWSSP) is a World Bank-financed Project implemented by the Ministry of Infrastructure and Regional Development (MIRD).

The NORLD now invites eligible Individual Consultants (“Consultants”) to indicate their interest in providing the Services. Interested Consultants should provide information demonstrating that they have the required qualifications and relevant experience to perform the Services.

The attention of interested Consultants is drawn to Section III, paragraphs, 3.14, 3.16, and 3.17 of the World Bank’s “Procurement Regulations for IPF Borrowers” November 2020 (“Procurement Regulations”), setting forth the World Bank’s policy on conflict of interest. A Consultant will be selected in accordance with the „Open Competitive Selection of Individual Consultants” method set out in the Procurement Regulations.

The objective of this assignment is to provide legal assistance to PIU and on all legal issues related to their activities. The Consultant is expected to handle a multitude of responsibilities and support on a range of issues, including, but not limited to providing legal advice on a daily basis that includes all the aspects of the analysis and documents drafting processes. He/she is responsible for formulating the best possible legal solution after analyzing the legal problem in depth. He/she should be able to provide the much needed legal assistance while dealing with some particular legal tasks, litigations, contracts, dispute resolution and guide the project management on making an appropriate decision support the Ministry of Infrastructure and Regional Development (MIRD) in the examination and approval support of the developed deliverables under the project, to identify new proposals and options for the promotion of institutional and legislative reforms in the WSS sector.

The detailed Terms of Reference (TOR) for the assignment can be found at the NORLD web page: <https://www.ondrl.gov.md>

Further information can be obtained at the address below during office hours 09 00 to 16 00 hours.

The applications should include letter of Expression of Interest, CV, and related recommendation letters, if any, together with a copy of CV **in WORD format**.

Expressions of interest must be delivered in a written form to the address below (in person, or by mail, or by fax, or by e-mail) by **May 20, 2024, 16:00 o’clock**, Moldova time, indicating the assignment title in the subject line.

P.I. National Office for Regional and Local Development,  
Moldova Water Security and Sanitation Project  
Str. Alexandru cel Bun 51 A, 2<sup>nd</sup> floor, MWSSP Office  
mun. Chisinau, Republic of Moldova  
Tel/fax: 022 27-91-21, 069265292  
E-mail: [tender@ondrl.gov.md](mailto:tender@ondrl.gov.md)

***Annex 1: Terms of Reference***

**TERMS OF REFERENCE (ToR)**

**Implementation of the Moldova Water Security and Sanitation Project  
(P173076)**

**Reference No.: MD-PIU-NORLD-421236-CS-INDV**

**Legal specialist for support to delegation contracts  
(Part – Time Assignment)**

**within**

**P.I. National Office for Regional and Local Development**

**I. BACKGROUND**

Moldova Water Security and Sanitation Project (herein after MWSSP) is a World Bank - financed Project implemented by the Ministry of Infrastructure and Regional Development (MIRD). The Project was signed on April 21, 2022. The Project itself will have duration of five years and aims to increase access to improved water supply and sanitation services in selected rural areas and towns, and to strengthen institutional capacities for water supply and sanitation service delivery.

The design of the project takes into account the Government of Moldova's vision for the water supply and sanitation (WSS) sector. Moldova's recently revised National WSS Strategy 2014–2030<sup>1</sup> endorses SDG target 6.1 and 6.2, sets national interim targets for 2024, and articulates strategic reform directions. The strategy's targets are to achieve coverage with WSS<sup>2</sup> infrastructure of 80 percent in urban areas and 75 percent in rural areas by 2024. The strategy stipulates improvement of the management and professionalization of services through regional WSS companies, leaving space for public-private models in geographies where regionalization is not delivering immediate advantages. It articulates the need to improve the regulatory environment, with a focus on inclusion, quality, and sustainability of services. At the same time, the WSS sector is a key priority area in the regional development policy, as reflected in the draft National Strategy for Regional Development 2022-2028.<sup>3</sup>

*The Project consists of four components:*

**Component 1:** Increasing access to safely managed WSS services in selected rural areas and towns This component will develop new and rehabilitate existing WSS infrastructure and WASH facilities in rural areas and towns, thus expanding access and quality of services for households, businesses, and public institutions and supporting resilience.<sup>4</sup> It consists of two subcomponents:

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<sup>1</sup> Updated and approved by Government Decision 440 of July 1, 2020.

<sup>2</sup> Sanitation refers to both access to wastewater networks and treatment systems and on-site facilities such as septic tanks.

<sup>3</sup> The National Regional Development Strategy is approved by the Government Decision no. 40/2022.

<sup>4</sup> See the WASH Climate Resilience Strategic Framework (UNICEF, Global Water Partnership, 2014) for links between WASH and climate resilience.

**Subcomponent 1.1:** Expanding access and quality of WSS services. This subcomponent will finance climate-resilient investments in towns and rural areas.

Water supply investments: Expansion and rehabilitation of the regional water systems for water supply production and distribution, and service connections for LPAs in selected districts, including the preparation of relevant technical studies and management documents; technical supervision; and citizen engagement activities. This refers to water supply infrastructure in two identified subprojects, that is, regional water system expansion for LPAs in Cahul District and the ATU of Gagauzia<sup>5</sup> and a regional water supply system with a surface water treatment plant in Riscani District. Many LPAs, particularly in the south (Cahul) as well as in the northern part along the Prut (Riscani), face shortages of water in the summer, with shallow wells/springs posing a challenge such as in villages in Riscani District, in the Vulcanesti town, and other villages in Cahul District.

Wastewater investments: Expansion and rehabilitation of wastewater systems in selected towns, including the construction and rehabilitation of sewer networks and service connections, and the construction of new wastewater treatment plants, including the preparation of relevant technical studies and management documents; technical supervision; and citizen engagement activities. This refers to two identified subprojects in Soroca and Comrat towns.

Pilot for on-site household sanitation: Selected rural or peri-urban villages, will benefit from the improvement of on-site household sanitation following a demand-led approach through the provision of technical assistance, the implementation of information campaigns, and the carrying out of civil works.

**Subcomponent 1.2:** Improving resilient WASH facilities in public social institutions. This subcomponent will finance works, goods, consulting services, non-consulting services and training/workshops to realize climate-resilient WASH facilities in HCFs and education institutions and implement hygiene education and behavior change communication program. The subcomponent will finance capacity development for school and health center management and LPAs to ensure adequate operation and maintenance (O&M) of the facilities.

**Component 2:** Strengthening institutional capacity at national and local levels for WSS service delivery. This component focusses on institutional capacities of national and subnational entities and WSS operators for management, planning, regulation and reform implementation, and performance improvement of service providers for green, resilience, and inclusive service delivery.

**Component 3:** Project management and coordination. This component will finance operational costs, consulting services, non-consulting services, goods, and training to finance the overall project management cost, including the project team at the Project Implementation Unit (PIU), implementation support consultants at the regional level within MIRD's RDAs for environmental and social standards implementation, and, at the national level, MIRD as the project implementing entity (PIE). It will finance training costs, including for capacity building in procurement, environmental, and social standards, specialized short-term implementation support consultants, financial audits, project communication and citizen consultations, and monitoring and evaluation (M&E).

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<sup>5</sup> Its autonomy is ethnically motivated by the predominance of the Gagauz people. On December 23, 1994, the Parliament of the Republic of Moldova accepted the 'Law on the Special Legal Status of Gagauzia'.

**Component 4:** Contingent emergency response component (CERC). A provisional zero-amount component is included, which will allow for rapid reallocation of credit/loan proceeds from other components during an emergency under streamlined procurement and disbursement procedures. This component allows the Government to request the World Bank to re-categorize and reallocate financing from other project components to cover emergency response and recovery costs.

## **II. Objective(s) of the assignment**

The **Legal Consultant** for MWSSP will provide legal assistance to PIU and on all legal issues related to their activities.

The Consultant is expected to handle a multitude of responsibilities and support on a range of issues, including, but not limited to providing legal advice on a daily basis that includes all the aspects of the analysis and documents drafting processes. He/she is responsible for formulating the best possible legal solution after analyzing the legal problem in depth. He/she should be able to provide the much needed legal assistance while dealing with some particular legal tasks, litigations, contracts, dispute resolution and guide the project management on making an appropriate decision.

**Legal consultant** will provide support to PIU in reviewing and signing the project implementation agreement, RDA support agreements, LPA coordination agreements, WASH facility agreements, Sewer connection household agreements, Sanitation household agreement and other project related legal documents. The consultant will also be involved in elaboration of tender documentation and commercial contracts, analysis of legal documentation and normative acts.

## **III. Scope of Work**

The overall scope of the assignment is to duly execute the tasks of the MWSSP implementation.

The Consultant will analyze the existing legal framework related to Water Security and Sanitation.

The Legal consultant is expected to:

- Get familiar with current legislative framework concerning the development of Water Security and Sanitation sector in the Republic of Moldova.
- Coordinate legal activities with the Project manager and other sectorial experts.
- Advise the Project manager and the team in identifying deficiencies in regulation, law and policy issues and other concerns related to Water Security and Sanitation sector.
- Provide timely and high-quality analysis as well as other inputs requested by the Project manager and other sectorial experts.
- Assist PIU in management of legal issues in regard of possible claims and disputes during and after contracts' implementation.
- Analyze the cases, including all possible risks and consequences, elaborate necessary references and prepare relevant documents for submission to arbitration and court.
- Provide conclusions and recommendations to PIU management.
- The Consultant will be responsible for attaining the objectives listed in Section II. He/she will work closely with the NORLD, MWSSP, RDA's and LPA's on legal issues related to implementation of agreements.

- The consultant will support development of the WSS services delegation contracts and other types of MoU or Agreements;
- The Consultant will assist in elaboration of clarifications.
- The Consultant will be involved in verification of documents of suppliers.
- Also, the Consultant shall work in close cooperation with MWSSP staff involved in project implementation.
- Support in drawing up formalities regarding the settlement of disputes and monitor the implementation of the legal clauses for the NORLD Legal specialist.
- Other tasks formulated by Project manager.

#### **IV. Qualification requirements and basis for evaluation (evaluation criteria)**

##### ***General Qualification:***

- University degree in Law.
- Availability of a Master's Degree in a related field would be an advantage.
- At least 10 years of general experience.

##### ***Adequacy for project:***

- At least seven (7) years of relevant experience with a diverse range of legal issues, with an emphasis on transactional practice, such as international commercial transactions, project finance, bank finance, construction and general corporate law.
- At least 3 years of professional experience working in or with international organizations in Moldova.
- Broad understanding and practical skills in legislative drafting process.
- Broad understanding of Moldovan legislation relevant to the MWSSP activities, such as: the Labor Code, Civil Code, Fiscal Code, environmental legislation, and legislation dealing with Water Security and Sanitation.
- Demonstrated professionalism, good judgment, and flexibility to work as necessary outside normal work hours to meet the deadlines and needs of the position.
- Responsible and flexible attitude and capacity to manage a variety of tasks with minimal supervision.
- Experience with managing multi-stakeholder engagement processes.

##### ***Language and Experience***

- Excellent written and oral communication skills in English, Romanian and Russian.
- Strong computer skills with functional working knowledge of Microsoft Office applications (Word, Excel, Power Point), Outlook Express, Explorer, Jurist, and Moldlex.
- Knowledge of water security and sanitation is an asset.

#### **V. Duration of the assignment**

This assignment is a part-time assignment (maximum 10 days per month) expected to begin in May 2024.

Subject to Consultant's satisfactory performance, the contract may be renewed until December 2027, but no more than the Project closing day.

## **VI. Reporting**

The Legal Consultant will submit a monthly progress on the activities performed.

This monthly report should be subject to approval by the Project manager and the P.I. NORLD director. The consultant reports to PIU Project Manager and NORLD director. All reports shall be submitted in Romanian or/and English, upon necessity.

## **VI. Institutional Arrangements**

The Consultant will report to and work under the direct supervision of the PIU Project Manager. The Consultant will be a core member of the PIU working in tandem with all its members. The Consultant will prepare time-sheets and report directly to the Project Manager at the PIU about performed activities.

The PIU will provide working space, office equipment and communication facilities (including access to the Internet), as well as any other necessary means and support for consultant to carry out this assignment.

## **VII. Confidentiality statement**

All data and information received from MIRD, P.I. NORLD and other stakeholders for the purpose of this assignment is to be treated confidentially and are only to be used in connection with the execution of these Terms of Reference. All intellectual property rights arising from the execution of these Terms of Reference are assigned to P.I. NORLD. The contents of written materials obtained and used in this assignment may not be disclosed to any third parties without the expressed advance written authorization of the NORLD.

**NOTE: Qualified women, with relevant skills for this activity, are strongly encouraged to apply.**