

REQUEST FOR EXPRESSIONS OF INTEREST

Republic of Moldova
Moldova Water Security and Sanitation Project

Credit No.: 7027-MD

Reference No.: MD-PIU-NORLD-339413-CS-INDV

Assignment Title: Legal Consultant for the elaboration of the draft Government Decision regarding approval of the criteria for authorization, construction, registration, control, operation and maintenance of appropriate individual wastewater collection and treatment systems.

Date: February 10, 2023

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

Objectives: The objective of the mission is to support P.I. The National Office for Regional and Local Development (Project Implementation Unit (PIU)) under the Ministry of Infrastructure and Regional Development (MIRD) in the elaboration of the draft of the normative act (Government decision) that would set the provisions for a clear mechanism and criteria needed for authorization, construction, registration, control, operation and maintenance of appropriate individual systems for the collection and treatment of wastewater.

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

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.

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 **February 24, 2023, 16:00 o’clock, Moldova time, indicating the assignment title in subject line**.

P.I. National Office for Regional and Local Development,
Moldova Water Security and Sanitation Project
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mun. Chisinau, Republic of Moldova MD-2001
Tel/fax: 022 27-91-21, 069265292
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Annex 1: Terms of Reference

TERMS OF REFERENCE (ToR)
Implementation of the Moldova Water Security and Sanitation Project
(P173076)

Legal Consultant for the elaboration of the draft Government Decision regarding approval of the criteria for authorization, construction, registration, control, operation and maintenance of appropriate individual wastewater collection and treatment systems

within the

P.I. National Office for Regional and Local Development

I. BACKGROUND

Moldova Water Security and Sanitation Project (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 2014–2030¹ 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 WSS² 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 2022-2028.³

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.⁴ It consists of two subcomponents:

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

¹ Updated and approved by Government Decision 440 of July 1, 2020.

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

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

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

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 Gagauzia⁵ 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).

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

⁵ 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 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. On-site sanitation: the current situation

According to the national legislation of the Republic of Moldova, the discharge of untreated wastewater from households (even more so from economic and industrial activity) in surface water basins and on soil (leading to the infiltration into underground water) is prohibited (see art. 45 of Law no. 1515/1993 on the environment protection and art. 113, para. (5) of the Contravention code). However, in the Republic of Moldova, the sewerage and wastewater treatment infrastructure that is necessary to this end is underdeveloped. According to national statistics, over 90% of localities lack public sewage systems, and over 96% - lack wastewater treatment systems. Thus, the state institutions of the Republic of Moldova have developed a set of normative acts that regulate the construction of centralized sewage systems, including the necessary provisions regarding the main quality parameters / indicators / maximum admissible concentration that characterize the wastewater discharged into the public sewage system / waste water treatment plant, or in the receptor water body.

At the same time, the high costs for construction and maintenance of the centralized sanitation infrastructure and also the technological challenges related to the functioning of such systems (low density of users, insufficient quantity of wastewater, remoteness, relief, etc.) makes the construction and operation of such centralized systems unaffordable for most of the inhabitants of the small (under 2000) localities. However, according to Article 3, para. (4) of Law no. 303/2013 on water supply and sanitation, in rural localities, where appropriate, only the public water supply service may be organized, provided that wastewater is collected by individual systems. Given the situation, where centralized sewerage and wastewater treatment systems are not feasible, it is important to apply alternative mechanisms and technologies for the treatment of wastewater and the evacuation of sludge for individual households or for groups of households, as required by the legislation. An important step to this end is the elaboration and adoption of the necessary regulations regarding the authorization, construction, registration, control, operation and maintenance of appropriate individual wastewater collection and treatment systems.

III. OBJECTIVES

The objective of the mission is to support P.I. The National Office for Regional and Local Development (Project Implementation Unit (PIU)) under the Ministry of Infrastructure and Regional Development (MIRD) in the elaboration of the draft of the normative act (Government decision) that would set the provisions for a clear mechanism and criteria needed for authorization, construction, registration, control, operation and maintenance of appropriate individual systems for the collection and treatment of wastewater.

IV. SCOPE OF WORK

In order to facilitate the construction of local on-site sanitation systems, development of a regulatory normative act is required. This normative act would set-up the rules for authorization of sanitation equipment installation works either for individual households or a groups of households, the

procedure for reception (acceptance) of the executed works, the control of the operation and maintenance of the installed equipment.

The Consultant shall undertake the following obligations and tasks:

1. Examination of national legislation and regulations in the field of waste water infrastructure;
2. Examination of international (mainly EU) experience in management of on-site sanitation infrastructure for individual households or a group of households;
3. Elaboration of the draft normative act that would regulate the mechanism for the authorisation, construction, registration and operation of local sanitation equipment according to the provisions of *Law no. 100/2017 regarding normative acts*;
4. Elaboration of supporting documents, necessary for the promotion of the normative act;
5. Support in the elaboration of summary tables of the proposals received in the process of public consultation and approval of the normative act.

V. DELIVERABLES

No.	Type of document	Deadline	Number of planned expert/days	Approved by	Document language
1.	Inception report	10 working days from the date of signing the contract	5	MIDR I.P. NORLD	Ro / Eng
2.	The draft of the Government decision	20 working days from the approval of the Inception report	15	MIDR I.P. NORLD	Ro
3.	The Informative Note for the GD		2		
4.	Development of the summary table	During the public consultations and the governmental approval process	3	MIDR I.P. NORLD	Ro
5.	Providing support for the MIDR in the process of public consultation, approval and promotion of the GD		5		

VI. TIMING

For the implementation of the proposed tasks are planned 30 expert/days for a period of 2 months from the date of signing the contract.

VII. INSTITUTIONAL ARRANGEMENTS

The consultant's activity will be carried out in close collaboration with and under the guidance of the delegated persons from the Department of Water Supply and Sewerage Policies and the persons from the Department of Urban Planning, Construction and Housing.

The consultant's deliverables will be approved for financing only as a result of the signing of an acceptance certificate signed between the representatives of the Ministry of Infrastructure and Regional Development as the final beneficiary, I.P. National Office for Regional and Local Development in the role of institutions with fiduciary responsibilities and the Consultant as a service provider.

VIII. QUALIFICATION REQUIREMENTS AND EVALUATION CRITERIA

General Qualifications - 30 points:

- University Degree in economics, legal or other relevant fields;
- Ability to analyze, plan, communicate effectively with stakeholders and present ideas clearly and effectively;
- Previous experience with international organizations in the WSS sector;

Adequacy for the Project - 50 points:

- Minimum 3 years of proven experience in providing consulting services to the public sector;
- Proven experience in the development of legal documents in accordance with national methodologies;
- Knowledge of EU policies and legislation in the fields of water and sanitation;
- Knowledge of mechanism of the EU approximation policies and legislation will be an advantage;

Language and Relevant Experience - 20 points:

- Proficiency in English and Romanian languages;
- Computer skills (MS Office and familiarity with project management software, such as MS Project).