**TERMS OF REFERENCE**

**Job Title:**  One National Climate Change Consultant to perform a national-wide drought risk assessment and one National Legal Consultant to update the legal framework on the drought risk assessment.

**Duty Station:**  Home based

**Project reference:**  Advancing Moldova’s National Climate Change Adaptation Planning (phase 2)

**Contract type:**  Individual Contract (IC)

**Contract Duration:** 50 working days for Climate Change Consultant and 50 working days for Legal Consultant, duringJuly – December 2023

1. **Background:**

Climate change is already profoundly impacting the conditions for resource availability and agricultural activities. Over the last decade, the country has experienced many extreme events, such as droughts and major floods, along with the cumulative effects caused by increased mean temperature and the uneven distribution of precipitation throughout the year, which have had negative consequences on the country's economy, and its population wellbeing and health. Severe droughts are recurring more frequently, causing significant economic losses. The increasing scope and intensity of extreme events have also resulted in increased frequencies of high-risk situations. By 2050, an increase of 2–3ºC in the average temperature, an additional 32 days that exceed the current maximum temperature by 10%, and another 12 days with zero precipitation are projected.

The Government sees the National Adaptation Planning (NAP) process as key to achieving the adaptation objectives outlined in its 2014 Climate Change Adaptation Strategy of the Republic of Moldova and its 2020 Nationally Determined Contributions (NDC), as well as the continued mainstreaming of climate change considerations into its policies and budgeting processes. The proposed project supports the Republic of Moldova's Government in advancing the second cycle of its National Adaptation Planning process (known as NAP-2). The outcomes of the NAP-2 national adaptation planning processes are:

**Outcome 1:** To strengthen and operationalize the national steering mechanism for climate change adaptation (CCA);

**Outcome 2:** To improve the long-term capacity on planning and implementation of adaptation actions through CCA technologies;

**Outcome 3:** To improve the mainstreaming of climate change adaptation through the increased alignment of national development priorities in the priority sectors (forestry, health, energy, and transport).

The project will contribute to UNSDCF (United Nations Sustainable Development Cooperation Framework), 2023-2027 strategic priority 4 (green development, sustainable communities and disaster and climate resilience. Additionally, the project will contribute to the UNDP (UNITED NATIONS DEVELOPMENT PROGRAMME) Country Programme Output 3.3 (National and sub-national governments have improved capacities to integrate resilience to climate change and disasters into development plans and practices to reduce the population's vulnerability). Other than that, the project will contribute to the National Development Strategy "Moldova 2030" by ensuring resilience to climate change by reducing risks related to climate change and by facilitating adaptation in six priority sectors - agriculture, water resources, health, forestry, energy, and transport. Other than that, the project will contribute to the National Development Strategy "Moldova 2030" by ensuring resilience to climate change by reducing risks related to climate change and by facilitating adaptation in six priority sectors - agriculture, water resources, health, forestry, energy, and transport.

The preliminary work under the first cycle of the NAP (known as NAP-1) supported developing a NAP as a process, conceptualizing and developing its elements, including the national steering mechanism and laid down the groundwork towards long-term adaptation planning. Despite the progress, significant gaps remain in integrating climate change considerations into many of the national priority sectors' development policies and their associated budget priorities. National appropriations for CCA remain limited.

The NAP-2 goals will be achieved within two parallel implementation tracks. The first track implemented by UNDP expands and deepens the national approach developed under the NAP-1 and strengthens synergies both vertically, at different levels of governance, and horizontally, between the sectors affected by climate change to reduce duplication of efforts, pool scarce resources for efficient use, and ensure a coherent and comprehensive approach to the integration of CCA responses into development planning. In contrast, the second track will focus on adaptation in the agriculture sector and will be concurrently implemented under FAO's auspices.

The National Designated Authority has coordinated with the UNDP and the FAO country offices to ensure the complementarity and congruency of the activities and exchange, as appropriate. By its very nature, the NAP-2 will facilitate the integration of CCA into existing strategies, policies, and programs and establish a solid foundation for the integration of methods, tools, and information systems in day-to-day planning activities to inform decision-makers on the climate risks effectively, and to enable the informed formulation of resilient projects and financing strategies.

Moldova is highly exposed to various natural hazards; their negative impact affects economic sectors, livelihoods, and the environment. Historically the country experienced drought every 10 years, but has intensified over the past decades, being in 2007, 2012, 2015 and 2020. Hence there is no national-wide drought assessment, or national methodology in place to support the preparedness and response. Drought impacts are widespread across various economic sectors, affecting large territories.

According to the Fifth National Communication of the Republic of Moldova (submitted to the United National Framework Convention on Climate Change), climate change scenarios indicate that Moldova will become more arid, thus, it is a high probability of intensification of droughts. For evidence-based decision making and policy development, it is essential to integrate the drought risk management approach. While assessing the consensuses of the droughts, the FAO Crop and Food Supply Assessment Missions that were mobilized at the request of the Government (the last one was in October 2022) concluded that the country’s territory was affected unevenly; thus, a comprehensive monitoring system would support authorities to come with the relevant preparedness, mitigation and response measures.

1. **Objective:**

The main objective of this assignment is to assist the national authorities of the Republic of Moldova to develop a methodology for the nationwide hazard and risk assessment of drought using the available data and adjustment of the current legal framework accordingly. This will support national authorities to effectively monitor drought trends, respond promptly, and recommend solutions/measures to the key sectors of the economy to alleviate drought impacts.

1. **Scope of work and expected outputs:**

The National Consultants will work under the supervision of the Project Manager and the Team Leader of Outcome 3. The experts will provide assistance to the Working Group established by the Ministry of Environment and collaborate with the Ministry of Environment, especially on reviewing and amending the Drought Management Regulation (Government Decision no. 779/2013).

The assessment of drought risk should be based on multi-criteria analysis, following a scientific approach and probabilistic. The CC Consultant is responsible for mapping the drought and based on multi-criteria analysis, identifying the drought risk. The Legal Consultant will support the Ministry of Environment in integrating the relevant provisions of the drought risk assessment into the Drought Management Regulation and submit the Governmental Decision for approval.

1. **Tasks for the CC Consultant**

**1.1 Develop the methodology for the implementation of the assignment**

* Review the risk assessment methodology developed in the frame of the NAP2 Project.
* Review the drought hazard and risk assessment methodologies in other countries, especially in similar climate and economic conditions.
* Review the existing national and international data available for the drought risk assessment.
* Design step-by-step procedure for drought hazard and risk assessment, including GIS mapping.
* Establish the specific time periods for mapping of the drought hazard.
* Recommend drought indexes based on national context and available data.
* Develop a detailed work plan for the implementation of the assignment.

**1.2 Carry out drought risk assessment and mapping**

* Map selected drought indexes for identified specific time periods.
* Conduct a multi-criterial analysis of the drought risk at the national level based on the selected indexes.
* Develop the thresholds for the risk assessment, as well as provide justification and methodology for the selection of thresholds.
* Develop the drought risk maps in Geo Tiff format to be visualized on the Climate Change Information and Knowledge Management Portal.

**1.3 Provide detailed methodology for mapping the drought risk in compliance with the national legislation.**

* Provide a step-by-step procedure for assessment of the drought risks.
* Conduct training sessions on drought risk assessment for the representatives of the State Hydrometeorological Service and other relevant agencies.
* Provide inputs at the request of the Working Group established by the Ministry of Environment.

**2. Tasks for the Legal Consultant**

**2.1 Develop an inception report**

* Identify and review sectoral internal regulations for drought risk management.
* Review existing relevant legislative and regulatory framework on drought risk assessment, including Governmental Decision nr. 779/2013 on Drought Management Regulation, The Water Law no. 272/2011.
* Review the international approaches for drought risk management in countries with similar contexts.
* Develop an inception report on findings.

**2.2 Review the Governmental Decision**

* Prepare legal documents supporting the review of Governmental decision, including drafting together with the representatives of the Ministry of Environment supporting documents for the law-making process: analyses ex-ante, concept of the legal act, etc.
* Participate in the Working Group meeting related to the development of the legal document.
* Prepare, in consultation with the Ministry of Environment and the established Working Group, a Draft Regulatory Impact Assessment (RIA) under the national procedure for developing normative acts.
* Prepare, in consultation with the Ministry of Environment and the established Working Group, draft information notes under the national procedure for developing normative acts.
* Participate in workshops, meetings, and visits together with the representative of the Ministry of Environment to present, and collect feedback from relevant stakeholders.
* Process feedback from stakeholders and develop the Table of Concordance and the adjusted version of the developed documents.

**Expected Deliverables Climate Change Consultant:**

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| **item no.** | **DELIVERABLES** | **Estimate Workdays** | **Tentative timeframe** |
| 1 | Deliverable 1: Methodology for the implementation of the assignment  | 7 w.d. | By July 30, 2023 |
| 2 | Deliverable 2: GIS layers for drought risk assessment | 13 w.d.  | By August 30, 2030 |
| 3 | Deliverable 3: Report on drought risk assessment  | 20 w.d. | By September 15, 2023 |
| 4 | Deliverable 4: Detailed methodology for mapping of the drought risk in compliance with the national legislation  | 8 w.d. | By December 15, 2023 |
| 5 | Deliverable 5: Final report on the implementation of the assignment | 2 w.d. | By December 15, 2023 |
| **Total 50 days** |

**Expected Deliverables Legal Consultant:**

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| **item no.** | **DELIVERABLES** | **Estimate Workdays** | **Tentative timeframe** |
| 1 | Deliverable 1: Inception Report  | 6 w.d. | July 30, 2023 |
| 2 | Deliverable 2: Initial set for launching the legal document-making process (ex-ante analysis, scientific study) developed and consulted with the stakeholders | 6 w.d. | August 2023 |
| 3 | Deliverable 3: The Draft Governmental Decision, supporting documents: Information Note, Regulatory Impact Assessment, developed and consulted with relevant stakeholders | 18 w.d. | October 2023 |
| 4 | Deliverable 4: Report on collected feedback from stakeholder consultations of the draft Governmental Decision | 3 w.d. | November 2023 |
| 5 | Deliverable 5: Table of Concordance developed based on feedback collected, draft governmental decision adjusted and send for approval | 5 w.d.  | November 2023 |
| 6 | Deliverable 6: Definitive version of the Governmental decision with incorporated feedback developed and approved by the Project Manager | 9 w.d. | December 15, 2023 |
| 7 | Deliverable 7: Final report for the implementation of the assignment, approved by the Project Manager.  | 3 w.d. | December 15, 2023 |
| **Total 50 days** |

*Please select the position you would like to apply for (Position 1: Climate Change Consultant or Position 2: Legal Consultant).* *Please do not apply for both positions.*

1. **Organizational Setting:**

The National Consultants will work under the direct supervision of the UNDP Project Manager and the Team leader for Outcome 3. The National CC consultant should liaise with the relevant departments of the State Hydrometeorological Service to obtain and validate the information and work closely with the Working Group for the review of the Drought Management Regulation.

The consultants will provide deliverables in Romanian in electronic copies and according to the timeframe from the deliverables table. The Project Manager should approve the deliverables.

1. **Financial arrangements:**

The financial proposal shall specify a total **lump sum** amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables (i.e., whether payments fall in installments or upon completion of the entire contract). Payments are based upon output, i.e., upon delivery of the services specified in TOR. To assist the requesting unit in the comparison of financial proposals, the financial proposal will include a breakdown of this lump sum amount (including the daily fee, taxes, and the number of anticipated working days).

1. **Confidentiality**

Materials provided to the Consultants and all proceedings within the consultancy contract shall be regarded as confidential, both during and after the consultancy. Violation of confidentiality requirements may result in immediate termination of the contract.

1. **Qualifications and skills required:**

**National Climate Change Consultant**

Academic Qualifications:

* MSc in Environment, Geography, Agriculture/Forestry, Urban Planning, or relevant area.

Years and sphere of experience:

* At least 5 years of professional experience in CC area, including hazard and risks assessment and mapping with the application of open-source CC Software;
* Proven researcher experience in climate change area;
* Experience in assessment of vulnerability and risks;

Competencies:

* Proven competencies in in mapping, GIS map development, and research methods application in climate change.
* Familiarity with the national legislation in the risks assessment, international approaches for the climate risks assessment and management and INSPIRE Directive.
* Knowledge of remote sensing technologies for risks assessment will be an asset.
* Fluency in Romanian is required for this assignment; knowledge of English and Russian will be an advantage.

Personal qualities:

* Resourcefulness and creativity;
* Adherence to UN’s values and ethical standards;
* Cultural and gender sensitivity;
* Strong communication and interpersonal skills.

**National Legal Consultant**

Academic Qualifications:

* MSc in Law.

Years and sphere of experience:

* At least 3 years of experience in developing/contributing/promoting legislative, normative, and regulatory frameworks;
* Demonstrated experience in working with the ministries;
* Demonstrated experience in environment and climate change area.

Competencies:

* Knowledge of the national climate-related legal and policy framework;
* Knowledge of national methodology for developing legislative, normative, and regulatory frameworks.
* Familiarity with environment, climate change adaptation area;
* Experience in working with UN agencies is an asset;
* Fluency in Romanian is required for this assignment; knowledge of English and Russian will be an advantage.

Personal qualities:

* Resourcefulness and creativity;
* Adherence to UN’s values and ethical standards;
* Cultural and gender sensitivity;
* Strong communication and interpersonal skills.

Proven commitment to the core values of the United Nations respecting differences of culture, gender, religion, ethnicity, nationality, language, age, HIV status, disability, and sexual orientation, or other status. **Please mention in CV if you belong to the group(s) under-represented in the UN Moldova and/or the area of assignment.**

UNDP Moldova is committed to workforce diversity. Women, persons with disabilities, Roma and other ethnic or religious minorities, persons living with HIV, as well as refugees and other non-citizens legally entitled to work in the Republic of Moldova, are particularly encouraged to apply.

1. **Documents to Be Included When Submitting the Proposals**

Interested individual consultants must submit the following documents/information to demonstrate their qualifications:

1. Proposal, explaining why he/she is most suitable for the work, ***by indicating the position you selected to apply for***, including past experience in similar assignments, providing a brief information on above qualifications and methodology on how he/she will approach and conduct the work (if applicable).
2. Signed and filled-in Offeror’s letter to UNDP confirming interest and availability for the individual contractor (IC) assignment ***(for the position you would like to apply: Position 1: Climate Change Consultant or Position 2: Legal Consultant).***

**Please mention the selected position** on the said document, that incorporates the Financial proposal in Annex 2 (in USD, specifying a total requested amount per working day, including all related costs, e.g. fees, phone calls etc.). Annex 2 to the Offeror's letter, incorporating the Financial Proposal, shall be filled in mandatorily and includes the detailed breakdown of costs supporting the all-inclusive financial proposal, ***for the selected position***;

1. CV with at least three names for a reference check.

**Important notice:**

The applicants who have the statute of Government Official / Public Servant prior to appointment will be asked to submit the following documentation:

* + 1. a no-objection letter in respect of the applicant received from the Government, and;
		2. the applicant is certified in writing by the Government to be on official leave without pay for the entire duration of the Individual Contract.

A retired government official is not considered in this case a government official, and as such, may be contracted.

1. **Evaluation**

Initially, individual consultants will be short-listed based on the following minimum qualification criteria:

**National Climate Change Consultant**

* MSc in Environment, Geography, Agriculture/Forestry, Urban Planning, or relevant area;
* At least 5 years of professional experience in CC area, including hazard and risks assessment;
* Minimum two articles published in the area of climate change, or any other proof of research experience (e.g., publications, guidelines etc.);
* Minimum one assessment of vulnerability and risks.

**National Legal Consultant**

* MSc in Law;
* Min 3 years of experience in developing/contributing/promoting legislative, normative, and regulatory frameworks;
* Minimum two assignments in environment and climate change area.

The short-listed individual consultants will be further evaluated based on the following methodology:

**Cumulative analysis**

The award of the contract shall be made to the individual consultant whose offer has been evaluated and determined as:

a) responsive/ compliant/ acceptable, and

b) having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.

\* Technical Criteria weight – 60% (300 pts);

\* Financial Criteria weight – 40% (200 pts).

Only candidates obtaining a minimum of 210 points (each) would be considered for the Financial Evaluation.

**National Climate Change Consultant**

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| **Criteria** | **Scoring** | **Maximum Points Obtainable** |
| **Technical** |
| MSc in Environment, Geography, Agriculture/ Forestry, Urban Planning, or relevant area. | Master’s – 5 pts; PhD –**10 pts;** | 10 |
| Professional experience in CC area, including hazard and risks assessment (at least 5 years) | 5 years – 10 points, each additional year – 2.5 pts., up to max. **25 pts;**  | 25 |
| Proven researcher experience in climate change area | Two articles - 10 pts, each additional article 5 pts., up to max **30 pts**; | 30 |
| Experience in assessment of vulnerability and risks | One assessment – 10 points, each additional study / project – 5 pts. Up to max. **30 pts;** | 30 |
| Experience in working with UN agencies is an asset | Each assignment - 5 pts, up to max **15 pts** (3 assignments); | 15 |
| **Subtotal desk review Scoring – 110 pts.**  |
| **Interview** (demonstrated technical knowledge and experience; communication/ interpersonal skills; initiative; creativity/ resourcefulness). **Only the first 3 applicants that have accumulated the highest technical score shall be invited to the interview.** |
| Proven competencies in mapping, GIS map development, and research methods application in climate change. | Limited competencies – 5 pts, fair competences – up to 15 pts., good competences – up to 30 pts, very good – up to **50 pts**; | 50 |
| Familiarity with the national legislation in the risks assessment, international approaches for the climate risks assessment and management and INSPIRE Directive. | Limited understanding – 5 pts, fair competences – up to 15 pts., good competences – up to 30 pts, very good – up to **50 pts**; | 50 |
| Knowledge of remote sensing technologies for risks assessment will be an asset. | Limited understanding – 5 pts, fair competences – up to 15 pts., good competences – up to 30 pts, very good – up to **45 pts**; | 45 |
| Strong communication and interpersonal skills | Up to **15 pts;** | 15 |
| Fluency in Romanian is required, knowledge of English and Russian will be an asset. | Up to **20 pts** (Romanian– max 10 pts; English – max 5 pts; Russian – max 5 pts) | 20 |
| Belonging to the group(s) under-represented in the UN Moldova and/or the area of assignment[[1]](#footnote-2) | No – 0 pts, to one group – 5 pts, to two or more groups – **10 pts.** | 10 |
| **Subtotal Interview Scoring – 190 pts.** |
| **Maximum Total Technical Scoring** |  | **300** |
| **Financial** |
| Evaluation of submitted financial offers will be done based on the following formula:**S = Fmin / F \* 200****S –** score received on financial evaluation;**Fmin –** the lowest financial offer out of all the submitted offers qualified over the technical evaluation round;**F –** financial offer under consideration | **200** |

**National Legal Consultant**

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| **Criteria** | **Scoring** | **Maximum Points Obtainable** |
| **Technical** |
| MSc in Law | Master’s – 5 pts; PhD –**10 pts;** | 10 |
| At least 3 years of experience in developing/contributing/promoting legislative, normative, and regulatory frameworks | 3 years – 10 points, each additional year – 2.5 pts., up to max. **25 pts;**  | 25 |
| Demonstrated experience in working with the ministries | No - 0; Yes - **25 pts**; | 25 |
| Proven experience in the environment and Climate Change area | Two studies – **10** points, each additional study / project – 5 pts., up to max**. 40 pts;** | 40 |
| Experience in working with UN agencies is an asset | Each assignment - 5 pts, up to max **15 pts** | 15 |
| **Subtotal desk review Scoring – 115 pts.**  |
| **Interview** (demonstrated technical knowledge and experience; communication/ interpersonal skills; initiative; creativity/ resourcefulness). **Only the first 3 applicants that have accumulated the highest technical score shall be invited to the interview.** |
| Knowledge of the national climate-related legal and policy framework. | Limited understanding – 5 pts, fair competences – up to 15 pts., good competences – up to 30 pts, very good – up to **50 pts**; | 50 |
| Knowledge of national methodology for developing legislative, normative, and regulatory frameworks. | Limited understanding – 5 pts, fair competences – up to 15 pts., good competences – up to 30 pts, very good – up to **50 pts**; | 50 |
| Familiarity with environment, climate change adaptation area. | Limited understanding – 5 pts, fair competences – up to 15 pts., good competences – up to 30 pts, very good – up to **40 pts** | 40 |
| Strong communication and interpersonal skills. | Up to **15 pts** | 15 |
| Fluency in Romanian is required, knowledge of English and Russian will be an asset. | Up to **20 pts** (Romanian– max 10 pts; English – max 5 pts; Russian – max 5 pts) | 20 |
| Belonging to the group(s) under-represented in the UN Moldova and/or the area of assignment[[2]](#footnote-3) | No – 0 pts, to one group – 5 pts, to two or more groups – **10 pts.** | 10 |
| **Subtotal Interview Scoring – 185 pts.** |
| **Maximum Total Technical Scoring** |  | **300** |

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| **Financial** |
| Evaluation of submitted financial offers will be done based on the following formula:**S = Fmin / F \* 200****S –** score received on financial evaluation;**Fmin –** the lowest financial offer out of all the submitted offers qualified over the technical evaluation round;**F –** financial offer under consideration | **200** |

Winning candidate

The winning candidate will be the candidate who has accumulated the highest aggregated score (technical scoring + financial scoring).

1. *Under-represented group in the area of assignment (law enforcement) are women. Under-represented groups in UN Moldova are persons with disabilities, LGBTI, ethnic and linguistic minorities, especially ethnic Gagauzians, Bulgarians, Roma, Jews, people of African descent, people living with HIV, religious minorities, especially Muslim women, refugees and other non-citizens.* [↑](#footnote-ref-2)
2. *Under-represented group in the area of assignment (law enforcement) are women. Under-represented groups in UN Moldova are persons with disabilities, LGBTI, ethnic and linguistic minorities, especially ethnic Gagauzians, Bulgarians, Roma, Jews, people of African descent, people living with HIV, religious minorities, especially Muslim women, refugees and other non-citizens.* [↑](#footnote-ref-3)