

TERMS OF REFERENCE

Updating Water Sector Policy and Strategy

1. Context

Background

The status of the water sector in Palestine, as it exists today, is a direct outcome of the terms and conditions determined by the Oslo II Interim Agreement of 1995 and the occupation and closures imposed on the Palestinian territory by Israel. Palestinians suffer from restricted access to their entitled share, in accordance with international water law, of the trans-boundary water resources. This manifests itself with low per capita water availability, inadequate water service in terms of access, reliability and water quality, and major seasonal water shortages particularly acute in rural areas. The sewerage sector has fared no better with chronic underinvestment leading to partial coverage, very low rate of wastewater treatment, and widespread environmental damage.

The PWA was created in 1995 through a Presidential decree in order to regulate the water sector, improve and sustain water resources, planning and service delivery provision. It was assessed that the institutions and institutional framework created since 1995 to manage water resources and water uses, including the provision of water and wastewater service are insufficient for their purpose and consequently do not meet the needs of the Palestinian people in Palestine. The lack of clear institutional mandates had contributed to a situation of ineffective governance and weak capacity in the Palestinian water sector, which combined with occupation-related restricting factors, impaired the development of adequate policies and strategies for water resources management, infrastructure development and service provision. The institutional fragility of the water sector in Palestine was generally acknowledged, as reflected in a number of reports. In November 2008 a Norwegian funded infrastructure audit of the water sector in Palestine¹ (the Audit) requested by PWA concluded that there is an urgent need for a “strategic-level study of the institutional needs in the water and wastewater sub-sectors in Palestine”, and that the study should take account of all previous work on institutional issues, but not be constrained by any earlier conclusions. It goes on to conclude that “the existing water sector program [in the West Bank and Gaza] does not sufficiently address the needs of the Palestinian population and that a major refocusing effort is required.” It notes “policy and strategy development in the water sector has been inadequate” and goes on to say that “ongoing projects have been developed in a largely donor-driven fashion.” Based on these Audit recommendations, and in line with the Program of the 13th Government to accelerate the establishment of a viable Palestinian State, the Palestinian National Authority has endorsed the Action Plan for Reform and asked the PWA to lead in the implementation of a multi-year Water Sector Reform.

Water Sector Reform

On Dec 14th 2009 the Cabinet of Ministers of the Palestinian National Authority endorsed an “Action Plan for Reform” (from here on referred to as “the Action Plan”) towards the definition and implementation of a comprehensive program of institutional and legislative reform in the Palestinian water sector (“the Sector Reform”). As the central body in the sector, the Palestinian Water Authority (PWA) has the mandate to lead the reform process. The overall reform included the reorganization of the water sector and the institutions within, capacity building, and the developing of strategies and policies.

The reform objectives have been defined, and slightly adjusted in the Sector Reform Plan as follows, with regards to:

1. Institutions; the Sector Reform will establish strong (capable) and sustainable institutions within a legal framework that clearly defines their roles, responsibilities and the interface (relationship) between them.
2. Infrastructure needs; the Sector Reform will improve water supply and sanitation strategies, policies, investment programs, project designs, and the implementation of projects, in an effort to substantially accelerate infrastructure development.
3. Service provision; the Sector Reform aims to accelerate equitable access to a quality service, while providing improved efficiency and cost-recovery of effectively regulated water operators.
4. Water resources management; the Sector Reform will help to build the institutional knowledge, policies, and monitoring and enforcement capacities, as part of an effort to achieve a more sustainable water resources management strategy.
5. Water consumers; the Sector Reform will aim at improving water demand management and public health awareness in line with the development of water conservation, environmental and public health policies.

New Water Law

The President of State of Palestine issued a decree endorsing the new Water Law on 14 June 2014. The issuance of the new law establishes for a new phase for the water and wastewater sector, its governance and management, as the law states that the Water Authority will be under the responsibility of the Cabinet which goes in line with the basic law for having the authorities under the Cabinet umbrella. In addition the law splits policy from regulatory functions, which was previously carried out by PWA since its establishment. The new water law grants the establishment of Water Sector Regulatory Council. The Water Sector Regulatory Council has been established by the Cabinet and has a Board of Directors derived from the public sector, private sector and civil society. Its mandate makes it responsible for water prices and monitoring the performance of Water and Wastewater Service Providers. It will issue licenses for operators to establish the infrastructure needed to supply, desalinate and treat water and set the framework for quality assurance of services and manage consumer complaints. It will set the foundations to represent service providers in Regional Water Utilities

and in addition, monitor the performance of Bulk Service Providers and ensure that their services are compliant with the accepted standards.

The Water Law includes directives to transform the West Bank Water Department into a National Water Company which will be owned by the State of Palestine. For this reason the Law states PWA need to develop a temporary Bylaw to facilitate this transitional period (transfer the West Bank Water Department into a company) and provide a mechanism to transfer the assets to the National Company. The Law also states that the company legal status will not change except by a Law. The National Water Company is responsible for supplying Bulk Water and any tasks as assigned by the Water Authority. The National Water Company will have Board of Directors formed by the Cabinet based on recommendations from the Head of the Palestinian Water Authority.

The new law gives PWA the mandate, supported by a bylaw endorsed by the Cabinet, for establishment of Regional Water Utilities and Water User Associations.

The Law includes articles protecting water resources and defined protection zones. In addition, to monitoring water resources and provides the head of PWA the mandate to provide judicial policy. It also contains articles which allows for sanctions for the infringement of Water resources.

Policy and Strategy Development

PWA has developed the National Water and Wastewater Policy and Strategy for Palestine which is considered an important output of the Reform. The Strategy includes a short-term plan for the first five years (2012-2017), which is based on the present situation, linked to the Israeli military occupation and the constraints related to obtaining construction permits, and a long-term plan for years (2017-2032), which is based on a fully independent Palestinian State and Palestinians attaining their full water rights. The document was submitted to that Cabinet of Ministers in June 2014 for approval after having several consultation sessions with (1) national stakeholders, (2) the Water and Sanitation Working Group members, and (3) the EWASH members, and was approved by the Cabinet in August 2014. The Water Sector Strategy cover water supply, Water Resource, Wastewater, Institutional and Financial Issues.

Furthermore, several technical strategies were developed as well, such as Sludge strategy, financial sustainable strategy, communication Strategy and action plan, and Strategic Water Resource and Transmission Plan. List of Policies, Strategies and Strategic Plans are reflected in Annex 1.

Rational for Updating Water Sector Policy and Strategy

The Palestinian Water Authority seeks to achieve the concept of water security in the short and long term, which requires the development and protection of available water resources, defining additional non-conventional water resource (desalination of sea water and the reuse of treated water), and preserving its sustainability and quality in accordance with the principles of integrated water resources management, to ensure the achievement of the main goal of

“securing sustainable water resources to meet basic and developmental needs of the Palestinian people”. However, achieving water security in Palestine faces difficult challenges that require intensified local and international efforts to overcome them. Since the issuance of the Policy and Strategy in 2012, a lot of progress took place in the implementation of the strategy, however, a lot of challenges and change in political, economic, institutional context occurred among other a changes, which have been greatly reflected in the reality of the water sector, and called for the need to update the water sector strategy, objectives and priorities, to ensure appropriate planning and development of the water sector. The Updated water sector Policy and Strategy will be considered and input for the development of the Master for Developing the Bulk Water Master Plan and Water Harvesting Master Plan.

2. Objective

2.1. Overall objective

The main objective of the assignment is to assist PWA to produce an updated National Water Policy and Strategy document for Palestine which is agreeable to the PWA and sector partners

2.2. Specific Objectives

The specific objective of the project is to provide the PWA with a comprehensive updated National Water Sector Policy and strategy upon reviewing and revising the current National Water Sector Policy and Strategy, as necessary, to ensure that it is: (a) robust and aligns with governance policies and strategies, (b) comprehensive - addressing all shortcomings, and includes recommendations on efficient activities/actions, projected cost and implementation timelines to achieve the strategy, and consider gender, climate change, resilience, health, and environment ; (c) consistent with the current operating capacity at PWA and water sector institution, and projected expansion and development plans aimed at satisfying increased demands in the water sector .

3. SCOPE OF WORKS

3.1. Activity 0 - Inception phase

During the inception phase, the Consultant shall:

- Review the existing data, available studies and planning documents related to updating the Water Sector Policy and Strategy, Strategic Plan including developed strategies, polices (see Annex 1 for reference document), and build on the wealth of work already undertaken in the development of the updated Update Water Sector Policy and Strategy Phase
- Prepare a draft inception report that shall feature an adjusted work plan and methodology and shall provide an update to the TOR in specific relation to the planned tasks, fixed outputs, schedule, general organization of the Project, reporting, and an update on the financial and manpower resources.
- Organize an inception meeting with the Steering Committee to discuss the outcomes of

the draft inception report.

- Organize a workshop to all relevant stakeholders to present the draft inception report, present methodology for developing the assignment, and taking stakeholders views on board while developing the updated policy and strategy.
- Prepare a final inception report and work plan based on comments obtained at the inception meeting.

3.2. Activity 1: Update Water Sector Policy and Strategy Phase

Date collection and analysis

- Conduct a workshop with all of stakeholders to (a) identify and discuss specific problematic issues (b) solicits input (c) develop consensus incorporate lessons learned from previous work
- Source and analyze additional data/information including:
 - i. Existing primary data (survey and customer data)
 - ii. Existing secondary data such as (Master Plan, feasibility studies, gender guidelines and audit report ...)
- Prepare a report summarizing the characteristics of all collected information (content, date, completeness, accuracy, etc.) and presenting recommendations about any improvement of the quality and quantity of the data, and identify missing data. The consultant shall provide a comprehensive description of the situation of all relevant subjects in connection to the assignment, based on the analysis of the collected data. Wherever possible, the consultant is to collect and analyze data in a sex-disaggregated way. The Report shall also include thorough analysis of the status of the implemented water sector strategy considering the set KPIs, with elaboration on challenges encountered during the implementation and avenues for overcoming the challenges, to be reflected in an analysis report of the progress of the Water Sector Strategy 2012-2032

National Water Sector Policy and Strategy

- Develop draft National Water Sector Policy and Strategy considering the following:
 - The updated draft National Water Sector Policy and Strategy shall comply with the water law, national policy, strategic programs and projects, in addition to water sector reform, and consider the political context implication.
 - The updated draft National Water Sector Policy and Strategy shall describe a clear path for future plans by studying and addressing critical elements that form the foundation of sustainable development of the water sector including but not limited to political, economic, financial, technical aspects.
 - It shall consider :
 - Relevant counterparts stakeholders
 - Monitoring and evaluation sustainability
 - Water sector institutional capacities and gaps

- Short and long – term objectives
 - Strengthening partnerships
 - Public private partnership²
 - Opportunities for convergent / integrated programming
 - Cross cutting priorities (that set out and tackle gender³, resilience, stunting polio, health and environment, climate change) and priorities.
- Institutional arrangement to be updated considering the new water law and progress on the ground
 - Baseline data to be updated and strategy to cover the next 20 years
 - Constraints to consider present situation , linked to the Israeli occupation and at the same time, Government objectives of fully independent Palestinian State and Palestinians attaining their full water rights
 - Revising and developing an applicable mechanism for monitoring and evaluating the strategy implementation, and updating it.
- Prepare and make presentation to the draft National Water Sector Policy and Strategy during National workshops (2 workshops). The workshops shall focus on the main considerations and decisions leading to the final contents of the document, and on any outstanding issues, with main objective to improve the document and make consultation, and consensus; It shall take place in West Bank, in addition to Gaza. The consultant shall consider comments and suggestions made during the workshop.
 - Develop the final version of the National Water Sector Policy and Strategy
 - Final National Water Sector Policy and Strategy shall be translated into Arabic by an official translator and with high quality acceptable to PWA

4. Deliverables

4.1. List of deliverables

The outputs expected from the Consultant are presented in Table below

Deliverable	Content	Due date (T is the date of commencement of the Services)
Activity 0: Inception phase		
Inception Report	It shall provide a summary of the revised work plan developed by the consultant. It shall provide details in	T + 1 month

² Several initiative and studies were develop concerning private sector participation including Draft Private Sector Participation for Water Sector , and Water Governance In Palestine: Sector Reform To Include Private Sector Participation

³ The Consultant is to consider the National Gender Strategy 2013-2017 was produced in 2012 to promote gender mainstreaming and the role of women in the sector.

	<p>specific relation to the planned activities, outputs, schedule, and details of how the consultant intends to complete the services including a proposed timetable of meetings, and workshops, general organization of the project, and reporting. It shall include as well a proposal for policy and strategy document format. The report shall be discussed within a meeting at PWA, and finalized by the Consultant accordingly;</p> <p>The inception report shall also include the following components:</p> <ul style="list-style-type: none"> • adjusted work plan and methodology • updated financial and manpower resources 	
<p>Activity 1: Update Water Sector Policy and Strategy Phase</p>		
<p>Baseline Data and analysis Report</p>	<p>The report shall include data collection and analysis</p> <p>The report shall reflect the characteristics of all collected information (content, date, completeness, accuracy, etc.). The consultant shall provide a comprehensive description of the situation of all relevant subjects in connection to the assignment, based on the analysis of the collected data. Sex disaggregation shall be considered where possible. The Report shall also include thorough analysis of the status of the implemented water sector strategy considering the set KPIs, with elaboration on challenges encountered during the implementation and avenues for overcoming the challenges, to be reflected in an analysis report of the progress of the Water Sector Strategy 2012-2032</p>	<p>T + 2 months</p>
<p>Draft Water Sector Policy and Strategy</p>	<p>Draft Document shall be developed in full coordination with PWA upon conducting several meetings with PWA relevant Departments, and key stakeholders (deadline for submitting end of month T+4)</p> <p>The draft document shall be followed by conducting 2 workshops (1 in West Bank +1 in Gaza) on National Level . The workshop shall present results of the draft policy and strategy to relevant Stakeholders.</p>	<p>T + 4 months</p>
<p>Final Water Sector Policy and Strategy</p>	<p>The output shall be presented in English. The report shall be finalized considering the comments and suggestions made during the workshops;</p>	<p>T + 6 months</p>

	Translated Document in Arabic upon PWA approval to the English version	
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Table 1 List of deliverables

4.2. Requirements for deliverables

All documents shall be in English and as comprehensive as possible avoiding lengthy textbook sections. The Water Sector Policy and Strategy final document will be translated into Arabic.

They should comply with the following requirements:

- Compliance with the terms of reference
- Clarity, soundness and relevance of their content

The reports will be submitted in three (3) hard, coloured copies; all reports shall be bound. Maps and drawings included in the reports must be easily readable. Three soft copies shall also be provided (in pdf, Word, Excel, MS-Project, Arc-GIS 10 - appropriate software versions to be coordinated with PWA - with linked shape files, suitable for PWA to work on).

It is important that the deliverables presented by the Consultant be clear and transparent. As such the Consultant will ensure the following aspects are included in his final reports:

- the source of all collected data shall be traceable
- the methodology and assumptions used shall be fully described

4.3. Approval procedure of deliverables

Deliverables will be submitted to PWA for approval. PWA will review and organize comments from all relevant stakeholders within two weeks after reception. The Consultant shall integrate the requested modifications and comments within 2 weeks after receipt of PWA comments, unless otherwise indicated, prior to submitting the final version.

4.4. Workshops Details:

For each individual workshop, the consultant will:

- With guidance from PWA, confirm the list of invited attendees from stakeholders register (expected number of attendees per each workshop not less than 60 participants). The Consultant will make sure that all relevant stakeholders are presented, and consider gender and youth representation
- Identify, arrange and confirm the venue including any necessary teleconferencing arrangements. Prepare and issue invitations to attendees upon PWA approval. The invitation shall encourage female participation.
- Prepare and circulate an agenda with specific topics for discussion.
- Facilitate the workshop with subject matter expert(s).
- Prepare and present at each workshop, a summary of purpose and objectives. This introduction will provide an overview of the program and offer context to all

participants.

- Prepare the workshop meeting minutes for review and comment by PWA.
- Distribute workshop minutes to all participants.

5. Staffing Requirements

The Consultant's team shall comprise at least the experts presented in **Error! Reference source not found.**le below.

The project manager and his team shall be experienced in the elaboration of water sector policies, strategies, ideally with some experience in the MENA region. The CVs submitted by the Consultant shall therefore reflect this requirement. In addition, a chief backstopping person as well as his deputy shall be nominated. This has to be understood as a tentative list of experts, however, the Consultant shall feel free to add extra and/or multi-skilled staff, as he deems necessary and appropriate to satisfactory reach the objectives of the Project based on his professional judgment.

The Consultant shall provide adequate, qualified and experienced staff for the good and timely execution of the study he has been assigned to. All such staff has to be approved by the Client and it is the right of the Client to withdraw at any time any approval for such staff if they are found to be unsuitable or otherwise not desirable, in which case the person or persons in question shall be replaced by others approved by PWA.

In addition to key staff, any supporting staff and any logistical support including rent transportation either for local and or international, cost of accommodation and any administrative cost, printing and producing all reports and documents as mentioned above shall be estimated by the Consultant and shall be included in the lump sum amount of the financial proposal.

Expert #	Role	Estimated time input (man.month)	Qualification requirements
KE-1	Team leader and water expert for the Project	6 (30 % based in the West Bank and Gaza)	He/she should have qualifications in civil or environmental engineering and preferably have an advanced or second degree in a relevant specialization. He/she should have at least 15 years of international experience. Key specific experience requirements include:

Expert #	Role	Estimated time input (man.month)	Qualification requirements
			<ul style="list-style-type: none"> • Demonstrated leadership skills and at least 10 years of multi-disciplinary team leadership experience including project policy and strategy development, master plan and feasibility studies preparation; • A minimum of 10 years' experience of projects involving water resources, water supply system planning and deigning of hydraulic works and institutional reorganization; • Broad experience in hydrology and hydrogeology, water supply, wastewater, infrastructure planning, engineering design, procurement, institutional development • Substantial relevant Middle Eastern country experience including preferably in Palestine. <p>He/she shall be familiar with current best practice trends in water harvesting schemes in similar countries.</p> <p>He/she shall be able to communicate effectively with senior team members and government officials.</p> <p>He/she should have excellent English skills.</p>

Expert #	Role	Estimated time input (man.month)	Qualification requirements
KE-2	Water Resource Expert	2	<p>He/she should have qualifications in hydraulic engineering and preferably have an advanced or second degree in hydrology. He/she should have at least 10 years of relevant experience in water resource development and developing water sector policies and strategies at the international level. Key specific experience requirements include:</p> <ul style="list-style-type: none"> • Experience in water resource planning • Substantial experience and knowledge about hydrological conditions in MENA countries, preferably in Palestine. <p>He/she should have excellent English skills and a command of Arabic would be an advantage.</p>
KE-3	Wastewater and reuse expert	2	<p>He/she should have qualifications in wastewater. He/she should have at least 10 years of relevant experience to the assignment in waste water and reuse and in developing policies and strategies. Key specific experience requirements include:</p> <ul style="list-style-type: none"> • A minimum of 5 years' experience of wastewater and wastewater reuse projects; <p>He/she should have excellent English skills. A command of Arabic would be an advantage.</p>
KE-4	Institutional Expert	2	<p>He/she should have graduate degree in planning, engineering, economics, or other relevant field;</p>

Expert #	Role	Estimated time input (man.month)	Qualification requirements
			<ul style="list-style-type: none"> - Master degree in public administration or equivalent relevant certificate to the tasks is preferable; - Experience in institutional development - 5 years of experience in the water sector and similar sectors; <p>He/she should have excellent English skills. A command of Arabic would be an advantage.</p>
KE-5	Financial Expert	2	<p>He/she should have relevant University degree in public administration and Finance, management or equivalent. Key specific experience requirements include:</p> <ul style="list-style-type: none"> - Minimum of 10 years of practical experience in Financial and Administrative affairs, etc.; - Demonstrate previous similar experience in implementing similar Consultancy Assignments - Practical experience in water sector is preferable <p>He/she should have excellent English skills. A command of Arabic would be an advantage.</p>
Non-Key experts			
NKE-1	Socio economic Expert	0.5	<p>He/she should have at least 5 years of relevant professional experience. Key specific experience requirements include:</p> <ul style="list-style-type: none"> • Past experience in socio economic

Expert #	Role	Estimated time input (man.month)	Qualification requirements
			<ul style="list-style-type: none"> • Citizen engagement/stakeholder participation <p>He/she should have excellent English skills. A command of Arabic would be an advantage.</p>
NKE-2	Climate Change and Environmental expert	1	<p>He/she should have degree in environmental sciences or related discipline. Key specific experience requirements include:</p> <ul style="list-style-type: none"> • At least 5 years of relevant experience in environmental assessment studies <p>He/she should have excellent English skills. A command of Arabic would be an advantage.</p>
NKE-3	Gender expert	0.5	<p>He/she should have degree in gender or related discipline. Key specific experience requirements include:</p> <ul style="list-style-type: none"> • At least 5 years of relevant experience in Gender aspects polices, and strategies <p>He/she should have excellent English skills. A command of Arabic would be an advantage.</p>
NKE-4	Communication expert	0.5	<p>He/she should have degree in communication. Key specific experience requirements include:</p> <ul style="list-style-type: none"> • At least 5 years of relevant experience in Communication aspects • He/she should have excellent and broad expertise in

Expert #	Role	Estimated time input (man.month)	Qualification requirements
			inclusive stakeholder dialogue and consultation <ul style="list-style-type: none"> • He/she should also ensure participatory approach for the preparation of the policy

Table 2 List of experts

6. Time Frame of the Project

The Consultant shall commence his work after the signature of the Contract within the time period stipulated in the Contract. The PWA will make available to the Consultant all documents listed in **Error! Reference source not found.** before the date of Commencement of Services. The Consultant will liaise with the PWA and other institutions, form his team and take up the Project activities.

The Consultant shall carry out all tasks of the Project within an estimated total period of six (6) months from the date of Commencement of Services. The Consultant is invited to carefully study if he will be able to follow the proposed time schedule as presented in figure below. In his proposal the Consultant can propose another time schedule as deemed appropriate with associated justification to considered by client



Figure 1 Tentative time schedule for the completion of the Project

7. Project organization

7.1. Project executing agency

The Project executing agency is the Palestinian Water Authority (PWA).

7.2. Stakeholder participation

For the success of the Project it is important that all relevant stakeholders (governmental bodies including relevant Ministries, LGUS, service provider, WSRC, communities, water users' associations, NGOs, etc.) are involved in the progress of the Project and the decisions to be taken during the course of the Project. Therefore, throughout the Project, the team leader - and other experts if required - shall be available for meetings called by the PWA and for ad-hoc telephone or internet consultations on any matter concerning the Project.

The Consultant shall be ready to prepare a couple of formal presentations on the results of the Project at various stages. The audience for the presentation will be decided by the PWA and may include funding agencies.

7.3. Steering committee

A steering committee will be created to monitor the progress of the Project, assist in providing all the information and support necessary to facilitate the implementation of the different tasks of the projects, act as liaison team with all governance structure and other key stakeholders in order to support in having updated information for developing the updated Water Sector Policy and Strategy. It will be composed of representatives from:

- The Palestinian Water Authority (PWA)
- The Ministry of Agriculture (MOA)
- Other participants as deemed necessary.

The steering committee shall meet at least at both kick-off and final presentations and on quarterly basis of the Project. Its responsibility consists in assisting the PWA in leading the Project and in validating the deliverables.

8. Responsibilities of PWA

- PWA will coordinate and supervise the work of the Consultant and will oversee the activities on a day to day basis thus following the progress of the Project. PWA will review and provide comments on the Consultants' deliverables in a timely manner. PWA review does not alleviate the Consultant of his responsibilities for ensuring that his work is completed diligently and accurately.
- PWA will provide the Consultant with relevant available information and data and any other documents of general nature relevant to the assignment, the vast majority of which is available in English. The existing documents shall be made available by PWA before the start of the consulting activities on site.
- Comments by PWA shall be provided within 2 weeks of submission of deliverables.
- PWA will provide at its facilities in Ramallah meeting room for meetings (with needed facilities, and refreshments) upon prior notice. This will be provided free of any costs to the Consultant. The Consultant will work closely with the relevant PWA staff.
- For the Gaza Strip, PWA will provide all necessary direct and indirect support to facilitate the Consultant access to and provision of services in the Gaza Strip, including planning,

coordination and logistical support. PWA will coordinate Consultant access to Gaza.

- PWA will provide meeting room for workshop outside PWA (with needed facilities, and refreshments) upon prior notice and agreement with PWA. This will be provided free of any costs to the Consultant.
- PWA will not provide office space, furniture or related services in its premises in the West Bank or Gaza.
- All of the above mentioned items will be provided by PWA, any other items needed must be provided by the consultant.

9. Responsibilities of the Consultant

The Consultant shall carry out his duties in a timely, diligent and professional manner according to the present TOR. As mentioned above, the Consultant is requested to review the TOR in his proposal, but also during the inception phase to amend - if necessary - the tasks in order to come up with final deliverables fulfilling the intended purpose of the Project.

The Consultant shall cover all costs needed to accomplish the requested tasks indicated in the TOR and deliver quality outputs. This shall include the necessary office space and equipment, transportation, etc.

10. Backstopping and Quality Control

The home office of the Consultant shall maintain continuous support to the team working in the Project area. Before submitting any report, the home office is obliged to carefully review the respective document to assure the required quality. The Project shall be the basis for future project funding decisions in the Project area.

The corresponding cost shall be included in the financial proposal of the Consultant.

11. Contracts Type and Payments Schedule

The contract is lump Sum. The payments schedule (Reference to section 4.1 of the ToR) is:

Payment No	Outputs Delivered and acceptable to PWA
First payment: 10% of the contract price	upon the submission and completion of Activity 0: Inception Report (output # 1)
Second payment: 40% of the contract price	upon the submission of the Draft Water Sector Policy and Strategy acceptable to PWA (output # 2)
Third payment: 50% of the contract price	upon the submission of Final Water Sector Policy and Strategy acceptable to PWA (Output #3)

Table 3 The payments schedule

12. Beneficiary Country and Contracting Authority

The Contracting Authority and Executing Agency for the Project will be the PWA through the Project Management and Support Unit (PMUS).

13. Qualification of the Firm

- Evidence of Firm capability and relevant experience in the execution of Consultancy Assignment of a similar nature, including the nature and value of the relevant contracts, as well as works in hand and contractually committed.
- The evidence shall include successful experience in the execution of at least two (2) Consultancy Services of a similar nature and size and complexity during the last five (5) years.
- Have been in business for at least the past 20 years in strategic development field.
- Availability of appropriate skills among staff and/or the ability to mobilize a diversified team of experts with appropriate knowledge and skills.

Annex1: References to update Water Sector Policy and Strategy

- New Water Law
- National Policy Agenda 2017 – 2022
- Reform Plan Document 2016- 2018
- WASH Poverty diagnostic study
- Water Sector Policy & strategy 2012 – 2032
- Policy and a Strategy on Capacity Development of the Water Sector
- National Water Awareness Strategy
- General Policy for Water Demand Management Concepts and Principles
- Strategic plan for Water Information System
- Water Sector Strategic Plan and action plan
- Trans-boundary Water Resources Strategy and Action Plan
- Financial Sustainable Strategy
- Non-revenue Strategy
- Gender Mainstreaming Guideline for Palestinian Water Sector.
- Gender Audit report
- Water resources and transport Strategy
- Water Safety Plan
- Sludge strategy
- Strategic Water Resource and Transmission Plan
- Water Governance In Palestine: Sector Reform To Include Private Sector Participation
- 10 policies for the Water Sector (drafts) (Water Policy Equity in Water Distribution, Alternative Water Resources Policy, Non-Revenue Water Policy, Improving Sanitation Services Policy, Polluter Pays Policy, Financial Sustainability Policy, Transparency and Accountability Policy, Community Participation Policy, Partnership with Private Sector Policy, Promotion for Water Sector Policies)

Annex 2 – Institutional Development in the Water Sector

The institutions defined in the Water Law 2014 are presented below. The institutional structure and mandates were established to advance an integrated approach to water resources management, which would be the foundation for long-term financial sustainability of the sector. As such, ensuring that institutions are established or deployed to fulfill the responsibilities defined in PA law and policy would enable streamlined and effective governance over the sector. Various achievements took place to support the full implementation of the institutional mandate including

Palestinian Water Authority (PWA)

Key achievements to date related to fulfilling the mandate of the PWA according to the Law include:

- Developing water sector policies, strategies, and plans (see annex 2 for more details)
- Developing water sector regulations and guidelines (see annex 3 for more details)
- PWA Strategic Plan and Implementation Plan 2017-2019 developed
- PWA Training and Development Strategy and training guidelines developed
- PWA Administrative and Financial Guidelines developed
- Standard Operation Procedures at Directorate level developed
- Advanced Administrative System for Human Resource Department in PWA developed
- Developed Infrastructure Management Software to enhance PWA technical and managerial capacity to deal with infrastructure development of water and sanitation programs and projects
- Developed Water Quality Laboratory Information Management System (WQ-LIMS)
- Developed Water Distribution Information System
- Gender Mainstreaming Guideline was developed

Water Sector Regulatory Council (WSRC)

Key achievements to date in the establishment of the WSRC according to the 2014 Water Law include:

- The WSRC was established in 2014 and currently monitors and audits service provider performance in the West Bank and Gaza.
- The WSRC has collected, verified, and published data in an extensive database of technical, financial and statistical information related to service provider performance.
- Completion of internal bylaws and procedures (Board of Directors bylaw, Admin bylaw, Financial bylaw, Procurement manual, HR Manual and Organizational structure), along with WSRC strategy, business plan, and communication plan
- Operational inspection procedures, including minimal operational standards, was developed along with an operational inspection annual report
- Categorization and minimum standard requirements prepared
- Introduction of a benchmarking system (through the establishment of International Benchmark Network) comparing water sector performance in Palestine, with international water sectors
- Key indicators description manual prepared and distributed to Service Providers
- 3 service providers comparative reports were published 2013/2014, 2014/2015, and 2016/2017
- Performance monitoring of water service providers reports were published PWA up to 2018 (which includes 2016 data)
- WSRC information system (database) is established
- Cost recovery instruction manual was developed

- Economic analysis on tariff and cost structures of service providers was conducted and a roadmap was developed to improve the financial viability of service providers

National Water Company (NWC)

The key achievements to date in the establishment of the NWC includes:

- The PWA prepared an action plan for building capacity of the WBWD and establishing the NWC.
- Developed a Road Map for the Rehabilitation of the WBWD and Establishing the National Water Company, and launched the implementation considering available resources
- Developed WBWD's billing system and introduce mobile billing technology
- Developed Water Supply and Distribution Information System (WSDIS) to support the management and monitoring water supply and distribution at bulk level
- Analyzed actual price of water at bulk level for the water department and establish a policy for financial sustainability
- Studied the feasibility of insuring some mechanical and electrical parts at Bulk level to increase the operation and maintenance efficiency.
- Worked on the installation of monitoring meters at transmission main to define losses at local government level and Mekorot lines.
- Drafted provisional regulation for rehabilitating and developing the WBWD and establishing the NWC.
- Increased collection efficiency from 47% in 2014 to 68% in 2016 upon close follow-up and procedures to reduce debts, and actions toward illegal connections
- Took actions on the government level to enhance service provider financial sustainability:
 - Cabinet decision No.17/215/17- Prepaid Water:
 - Meters: Encouraging the installation of prepaid water meters in for water service providers (WSP), within the agreed technical specifications.
 - All costs for that action will be deducted from the WSP debts to WBWD.
 - Cabinet decision No.17/215/17: NRW:
 - A new mechanism will be developed to follow up with all WSPs who have more than 30% NRW to advance network rehabilitation and other needed actions in order to reduce the NRW rates.
 - All costs incurred in rehabilitation efforts will be deducted from the WSP's debts to the WBWD
 - Cabinet decision No.18/215/17: Certificate of clearance
 - WSPs should provide PWA with all individual customers who have more than three unpaid water bills
 - PWA will circulate this list of individual customers to all governmental institutions that provide direct services to customers.
 - Individuals in this list will not be given that government service unless getting a certificate from WSPs that water bills were settled.

Regional Water Utilities (RWU)

The key achievements to date in the establishment of RWUs according to the 2014 Water Law include:

- The PWA in coordination with the EU has prepared a road map for the creation, establishment and operation of the RWUs on a pilot project basis (the roadmap includes: identification of the needs, mechanisms and methodologies for the construction process as well as the organizational

structure of the facility and the description of the job according to the size of the facility (small, medium and large facilities).

- Main up-scaling framework is agreed upon⁴
- Defined the overall governance and management framework conditions and arrangements for RWUs is in finalization phase (i.e. governance systems, management and operational models, legal and regulatory frameworks, viability etc.)

⁴ Palestinian Water Authority (*Water Sector Reform Progress*), undated, p.2