

MUNICIPALITIES NETWORK ADVOCACY ON SANITATION IN SOUTH ASIA-NEPAL

Terms of Reference (ToR) For Preparation of Fecal Sludge Management (FSM) Policy & Guidelines for Pilot Municipalities.

1. Background and context

MuAN, established in 1994, is the umbrella organization representing entire municipalities of Nepal, which is registered under the National Directive Act 1961 AD. It is a non-profit and Professional organization. All 293 municipalities including metropolitan and sub Metropolitan cities are members of MuAN. MuAN has successfully established its credibility as a national voice for Municipalities

The objective of this organization is to safeguard the common interests of municipalities through advocacy and lobbying, networking and advisory support to municipalities. MuAN has successfully accomplished a number of landmarks in policy reform, devolution, urban governance, gender, climate change, disaster, social inculcation and MDGs localization.

Since its establishment, it has also been a key partner of government by helping to support in policy/law making process and implementation the acts, regulations, guidelines and policies of the government at the local level. Despite in the absence of elected local governments for the last 17 years, MuAN continued to advocate and lobby for the common interests of municipal governments (i.e. Municipalities). MuAN actively engaged in lobbying and advocacy in the context of ensuring devolved local governance system in new constitution of Nepal, the restructuring of local government namely, urban and rural municipalities and preparation dummy laws to municipalities in new state restructured context.

MuAN has signed for executing a Sanitation Project from Bill & Melinda Gates Foundation to work with local governments to design and implement more effective policies to address one of the urban conundrums – sanitation. The Sanitation Project is aligned with Bill & Melinda Gates Water, Sanitation and Hygiene Program which recognized the severe impact of untreated waste on the locals' health and the environment, particularly with the booming population in developing cities. Sanitation is a shared problem between developing countries in both social and geographical sense. Therefore, lesson-learning from other successful implementations of Fecal Sludge Management (FSM), Wastewater Policy and Institutional and Regulatory Framework is a central part of the project.

The aim of the project is to generate government incentive to develop national strategies to be implemented by local governments with capacity training support from UCLG ASPAC (United Cities and Local Governments Asia Pacific), technical support from Local Partner Environment and Public Health Organization (ENPHO) and financial support from international funds such as Bill & Melinda Gates Foundation.

The goal of the project is that Local Governments and Local Governments Associations be able to design and implement robust and effective policies to address sanitation issues and develop sustainable financing strategies from municipal financing options, bilateral donors and development banks with specific objectives as follows:

- 2 Local Government Associations in Bangladesh and Nepal have improved national policy and strategy plan on sanitation including a focus on Fecal Sludge Management (FSM) and Non-Sewered Sanitation (NSS) system in line with SDG 6.
- 5 municipalities in Nepal which include Lahan (Province 2), Dhulikhel (Province 3), Waling (Gandaki Province), Lamahi (Province 5) and Bheemdatt (Sudur Paschim Province) implement urban sanitation policies, institutional and regulatory framework through leadership engagement to be able to provide safely managed sanitation services.
- Increased financing for sustainable safely managed sanitation by 25% (the source of additional funding are development banks, development partners and CSR) in 10 municipalities in Bangladesh and Nepal. CSR are included as source of financing to engage private sector involvement to contribute to community.

The concept is preparing Fecal Sludge Management Policy of selected municipality for the mainstreaming of Fecal sludge Management in planning, budgeting and implementation process. The intervention is focused on enhancing basic operational knowledge, skills and resources in an effort to significantly upgrade substantive capacity of those municipality. Thus this Projects aim to hire one Environmental Legal Expert.

2. Objective

The Environmental Legal Expert (Consultant) will be responsible to prepare municipal Fecal Sludge Management (FSM) Policy, guidelines of the selected municipalities, thereby, mainstreaming FSM in the municipal planning, budgeting and implementation processes taking due consideration of FSM Institutional and Regulatory Framework and other sanitation policy, by-laws, legal documents and guidelines.

3. Scope of the Work

The Environment Legal Expert is expected to carry out as follows:

- Review the existing legal documents, policies, by-laws, guidelines and procedures related to sanitation and FSM in Nepal;
- Facilitate the consultation workshops in the selected municipalities to ensure FSM Policy and guidelines are prepared in participatory manner;
- Preparation of FSM Policy and guidelines of selected 5 Pilot municipalities which include Lahan (Province 2), Dhulikhel (Province 3), Waling (Gandaki Province), Lamahi (Province 5) and Bheemdatt (Sudur Paschim Province);
- Facilitate the sharing events in the selected municipalities with relevant local stakeholders / authorities in finalizing the FSM Policy and guidelines;
- Develop, Finalize and disseminate the Model Municipal Sanitation (FSM) Policy draft incorporating feedback from all concern stakeholders.
- Facilitate/Support to endorse the Formulated Municipal Sanitation Policy (FSM) in Annual Plan of selected 5 Pilot Municipalities namely Lahan (Province 2), Dhulikhel (Province 3), Waling (Gandaki Province), Lamahi (Province 5) and Bheemdatt (Sudur Paschim Province).

4. Qualification

- ✓ Education:
 - Post-graduate Degree in Environment, Law and Local Governance or similar qualifications.

- ✓ Experience:
 - Good knowledge in urban sanitation issues with at least 7 years' core experience in national environmental policy, law, research and governance.
 - Having experience in working on sanitation issues with national and local governments in Nepal
 - Demonstrated knowledge of policy contexts and sustainability issues facing by local governments, organizations and local communities
 - Having adequate knowledge in municipal finance and resource mobilization.
 - Having experience in working sanitation or urban environment projects is a plus.
 - Strong research skills and in-depth understanding of analytical methods applicable to policy work

- ✓ Language:
 - Good writing skills and fluency in both Nepali and English.

- ✓ Computer skills:
 - Good computer skills (MS Word, MS Excel, etc.)

- ✓ Others:
 - Has highly developed communication skills, including ability to draft/edit texts and to articulate ideas in clear, concise style to a variety of audiences, as well as facilitation skills;
 - Has positive attitude, honest, trustworthy and demonstrate sound work ethics;
 - Has the ability to quickly establish professional rapport with related stakeholders;
 - Has the ability to work under pressure and to meet deadlines;

5. Duration of Service

The Consultant (Environmental Legal Expert) will be hired for the period of 3 months (90 days) to complete the assignment.

6. Coordination and Monitoring

The consultant should work under the direct supervision and guidance of Project Coordinators from MuAN as well as Environment and Public Health Organization (ENPHO) as Technical Partner of MuAN for this Project. MuAN and ENPHO will regularly monitor the activities related to this assignment. The consultant should take the important feedbacks provided by these organizations and the pool of experts under this project. In addition, Mayors and Deputy Mayors from the respective municipalities will also monitor and provide important feedbacks whenever requires.

7. Submission of report

SN	Particular	Time
1	Submission of Draft Fecal Sludge Management Policy & guidelines of selected 5 pilot municipalities	September 2019
2	Submission of Final Fecal Sludge Management Policy & guidelines of selected 5 pilot municipalities	October 2019

8. Contract Amount

Negotiable.

9. Taxation

The Consultant (Environmental Legal Expert) shall be fully responsible for all taxes including VAT applicable as per the rules and regulations of Government of Nepal and for that the taxes except VAT shall be deducted at the source at the time of payment. The Consultant shall be responsible for clearance of VAT. All payments shall be made after deducting taxes.

10. Evaluation Process

The Application and CV evaluation process will be as per the procurement rules of MuAN.

11. Tentative Implementation Plan

SN	Activities	2019 (Months)		
		Aug	Sep	Oct
1	Desk study and literature review	■		
2	Consultation Workshop in selected 5 pilot Municipalities and related local stakeholders / authorities	■		
3	Preparation of Draft Fecal Sludge Management Policy of selected 5 pilot municipalities		■	
4	Sharing Workshop in Selected 5 pilot Municipalities and related local stakeholders / authorities		■	
5	Finalize and disseminate the Final Model Municipal Sanitation (FSM) Policy of all 5 pilot municipalities.			■
6	Facilitate/Support to endorse the Formulated Municipal Sanitation Policy (FSM) in Annual Plan of selected 5 Pilot Municipalities			■