

Terms of Reference

Support to Government of Moldova to Millennium Challenge Corporation Compact Elaboration (Director Rehabilitation of Central Irrigation Systems Activity) INTERIM POSITION

1. Background

The Millennium Challenge Account (MCA) is an initiative of the United States to support policies and programs that advance a country's progress in achieving sustainable economic growth and poverty reduction.

The Republic of Moldova has undertaken a number of structural reforms, among which the regulatory reform project leading to eased administrative burdens and more transparent regulation of the entrepreneurs; the central public administration reform project leading to a more effective and efficient governance; and the public finance management project aiming at increased accountability and transparency with regard to public finances. Besides these important projects, the Republic of Moldova has to strengthen its capacity to respond to the challenges of European integration.

The engagements of the Government of Moldova to continue the needed actions and reforms towards improving the investment climate, raising efficiency of the public sector resource management, strengthening the social protection system, providing investments for education and public health, as well as corruption control, offers a new boost for private sector development aimed to contribute to rendering quality services to people and ensuring a sustainable country growth.

To provide further incentive for policy reform, Millennium Challenge Corporation (MCC) established a Threshold Program for countries that demonstrate a significant commitment in meeting the eligibility criteria. By awarding a grant of USD 24.7 million from MCC, the Republic of Moldova has been accepted to implement its Threshold Country Plan targeted to fight and prevent corruption in various areas.

On November 8, 2006 the MCC Council selected the Republic of Moldova as an eligible country for Millennium Challenge Account development assistance. Recognizing that development is achieved by country's own efforts, policies, and people, Millennium Challenge Corporation (MCC) gives the opportunity to identify priorities for achieving sustainable economic growth and poverty reduction in a broad consultation with the society.

The MCA program is usually reflected in a Compact Agreement that defines responsibilities and includes measurable objectives and targets to assess the progress in economic growth and poverty reduction. As an eligible country, Moldova was invited to develop and submit to Millennium Challenge Corporation (MCC) a proposal that can form the basis for future negotiation of Compact.

During Spring/Summer 2007, a team established within the Government Office of Republic of Moldova (MCA Moldova) conducted a deep analysis of binding constraints to economic growth as a first step in developing country's proposal to MCC. The analysis identifies core barriers to growth and development and provides a logical basis for future proposal.

According to it, the infrastructure and investment climate were the binding constraints at the moment. The analysis' results were widely discussed, tested and confirmed during extensive public consultation events in June-July 2007. In September 2007, MCC formally acknowledged the good quality of report. In February 2008, MCA Moldova has formally submitted to MCC a country proposal targeting at the reduction of identified constraints. The proposal had 4 investment projects, 2 of them had been selected by MCC for further study and refinement (Due Diligence), and namely the Roads Rehabilitation Project and Transition to High Value Added Agriculture Project.

During 2008-first half of 2009, further work has been carried together by MCC and MCA Moldova on refinement of the abovementioned two projects (Agriculture and Roads). Multiple background studies have been performed, including:

- Feasibility Study for proposed segments of roads
- Feasibility Study of 16 Central Irrigation Systems (CIS) proposed for rehabilitation
- Land rights and land market access study
- Access to Agricultural Finance Study
- Irrigation Management Transfer Study
- Legal study in the area of Water User Associations and Water Law
- Agricultural Market Overview
- Farms Survey in proposed 16 CIS

The draft final project design was consequently developed and in July 2009, the MCC Investment Committee has reviewed the refined proposal and forwarded it to Investment Board, which notified US Congress on its intention to begin negotiations of Compact Agreement with the Government of Moldova. In September 2009, the two-week period of Congressional notification has ended with no objections recorded from US Congress. In November 2009, Government of Moldova and MCC have successfully completed negotiations of Compact agreement, and defined the design of Compact's project and budget.

The final Compact Program design as of November 2009 consists of:

- A. Roads Rehabilitation Project (Sarateni-Soroca-Drochia Junction road)
- B. Transition to High Value Agriculture Project, made of the following four Activities:
 1. Central Irrigation Systems (CIS) Rehabilitation Activity, targeting up to 11 irrigation systems that take water from Prut and Nistru rivers.
 2. Irrigation Sector Reform Activity, targeting at transferring the management of rehabilitated CIS from state to newly formed Water Users Associations and at installing sustainable water management based on river basin principle.
 3. Access to Agricultural Finance Facility for enabling investments in post-harvest infrastructure.
 4. Growing the Sales of High Value Agriculture Products, an activity targeting the expansion of agricultural marketing opportunities for farmers and agribusiness, to be co-financed under Compact and implemented by USAID.

It is expected that the Compact Program will be signed at the end of 2009. In the meanwhile, the Government of Moldova will officially set up and launch Millennium Challenge Account, or MCA-Moldova, as public national entity responsible on 5-year implementation of Compact Program in Moldova. The MCA-Moldova will administer the Compact, directly or through procured Contractors, including but not limiting at, the activities related to:

- General program administration and oversight
- Supervision of contractors and works
- Assisting contractors and suppliers in their relationships with government sector
- Procurement and financing of contractors and activities
- Monitoring and evaluation
- Audit

2. Description of Assignment

2.1 General Description and Scope

The incumbent will act as Interim Director for the Rehabilitation of Central Irrigation Systems (CIS) Activity, which is part of Transition to High Value Agriculture Project (THVA) of the Compact program.

The CIS Activity will target the rebuilding of up to 11 CIS that take water from Prut and Nistru rivers, with command area of approximately 15,500 hectares for the 11 systems. This will include the following sub-activities:

- i. final CIS design of the 11 selected systems (to be procured and managed by MCC with active involvement of MCA Moldova);
- ii. construction and construction supervision procurement for up to 11 systems; and,
- iii. works and construction supervision for the contracted systems

The overall scope of assignment is duly execution of tasks on MCA Moldova/MCC agenda pertaining to the CIS Rehabilitation Activity as currently expressed in the draft Compact Agreement and in existing working plans.

As interim CIS Activity Director, the incumbent will be responsible on attaining the objectives listed in Section 2.2 and 2.3 below. He/she will work as part of current team of consultants, including the interim THVA Project Director and the experts on the MCA-Moldova Compact development team.. Needed documents and start-up support will be provided.

2.2 Activities

The incumbent is expected to assume leadership on the CIS startup activities and perform the following key tasks:

- A. Provide timely review and comments in English to MCC on the Detailed Design TOR during the process of MCC procurement of a Contractor which will perform the detailed design of the 11 systems included in the CIS Rehabilitation Activity.
- B. Serve on MCC's technical evaluation panel for the selection of the CIS Design Firm.
- C. Develop detailed MS Project work plan for the CIS Rehabilitation Activity to be fully incorporated into the THVA Project MS Project Work Plan .
- D. Provide support to the establishment of the project implementing entity (Apele Moldovei), develop CIS related portion of a draft Implementing Agreement, and assist in the hiring of an implementation team.
- E. Develop first draft TOR for the CIS Engineering Project Management firm in English
- F. Other related tasks to be defined by MCA Moldova

2.3 Results

Key expected results for the contracting period are:

- A. Review and provide comments on the Detailed Design TOR for the final design of the 11 systems included in the CIS Rehabilitation Activity
- B. Develop a detailed MS Project workplan for the CIS Rehabilitation Activity, to be incorporated into the THVA Project MS Project (Master) Work Plan acceptable to MCC.
- C. In collaboration with the THVA Project Interim Director, complete a draft of the Implementing Agreement for Apele Moldovei in which the CIS Interim Director shall be responsible to develop in detail roles and responsibilities for the CIS Rehabilitation Activity and position descriptions for team members responsible to support implementation.
- D. First draft TOR for the CIS Engineering Project Management firm.

3. Time frame, duration of contract and institutional arrangements

The public entity MCA Moldova, financed from Compact funds, will be officially launched in the next several months. MCA Moldova will then employ a strong team of professionals through open competitive procurement, for full 5 year Compact time frame.

The present TOR covers the interim position, until the Compact funds are made available and MCA Moldova runs open procurement for full positions. The contract carries no expectation of renewal or insurance of transfer to full term, however, an incumbent who demonstrates excellent performance will be strongly encouraged to apply for full 5 year position.

The timeframe for the work of the incumbent under this assignment is from December to March, 31st 2010. The incumbent will work under the leadership of interim MCA Moldova Team Leader.

4. Qualification Requirements

- University degree in agricultural or water engineering. Advanced university degree in irrigation engineering is preferable.
- Minimum of 5 years of demonstrated practical experience in water supply systems, with strong preference on large irrigation systems;
- Experience in donor-financed projects is a plus;
- Strong analytical and report writing skills;
- Ability to work in multinational and multipartite environment;
- Fluent in spoken, written Romanian;
- Good command of spoken and written English is mandatory;
- Excellent computer skills (MS Office MS Project 2007);
- Experience in organizing procurements and drafting terms of reference is a strong plus.
- Experience with FIDIC based contracts is a strong plus.