



## Terms of Reference

### National legal consultant for Green City Project

#### UNDP/GEF Project:

#### **Moldova Sustainable Green Cities – Catalysing investment in sustainable green cities in the Republic of Moldova using a holistic integrated urban planning approach**

Job title:	National legal consultant for Green City project
Type of Contract:	Individual Contract (IC)
Section/Unit:	Environment and Energy Cluster
Languages required:	Romanian, English
Duration of Assignment:	100 working days till December 2022
Payment arrangements:	Lump sum contract (payments linked to satisfactory performance and/or delivery of outputs)
Evaluation method:	interview of shortlisted candidates

### I. Introduction

These are the Terms of Reference (ToR) for the position “National legal consultant for Green City Project” under the UNDP-GEF Project titled: **Moldova Sustainable Green Cities – Catalysing investment in sustainable green cities in the Republic of Moldova using a holistic integrated urban planning approach**. During the duration of this consultancy, the consultant will report to the Project Manager and will provide required support to the project in view of establishment and functioning of the Green City Lab as well as demo projects implementation.

### II. Project Background Information

The objective of the project is to catalyze investments in low carbon green urban development based on integrated urban planning approach, by encouraging innovation, participatory planning and partnerships between a variety of public and private sector entities.

The strategy of the project is to create, launch and support a new institutional mechanism called “Green City Lab” (GCL) as a vehicle for encouraging and supporting new innovative measures and approaches in addressing the urban development challenges and barriers

The project therefore will support the design, launching, and establishment of the Green City Lab to become the leading knowledge management and networking platform, clearing house, an facilitator of financing various green urban development projects, and a source of innovations and expertise to catalyze sustainable low carbon green city development in Moldova with a mission to transform Chisinau and other cities/towns in Moldova into modern green and smart European cities with improved quality of life for their citizens, while also demonstrating opportunities for sustainable economic growth.

The Green City Lab is expected to be a self-sustaining entity, operating on a commercial basis (as part of the UNDP in initial stage/ or separate independent entity), that does not rely on technical assistance funding alone, so that by the end of the project it can continue to operate and grow.

The project's objective will be achieved through three key outcomes as follows:

**Outcome 1:** Fully operational and sustainable Green City Lab recognized by the key stakeholders as the leading innovation, knowledge management and networking platform and a source of expertise for catalyzing sustainable low carbon green city development in Moldova with secured funding to continue its operation after the UNDP/GEF project closure.

The Contractor will be assigned with the implementation and advisory services for the achievement of the outputs falling under this outcome.

**Outcome 2:** Successfully completed pilot/demonstration projects facilitated by the GCL (described in detail in the project document) with related monitoring, reporting and verification of the results in the areas of:

- integrated and participatory urban land use and mobility planning;
- residential building energy efficiency and renewable energy use;
- resource efficient waste management.

**Outcome 3:** Knowledge management and M&E to facilitate learning, scaling up and replication of project results.

Beside the standard UNDP M&E procedures and requirements, this component encompasses monitored and evaluated overall results of the project and lessons learnt with compiled KM materials, recommendations for the removal of the identified complementary barriers, including institutional and regulatory improvements, and related public outreach and TA to scale up, replicate and mainstream the project results.

### **III. Duties and responsibilities:**

The Consultant will have the following responsibilities:

- Closely engage with key stakeholders, for identification of the best option for the Green City Lab (GCL) set-up and necessary institutional arrangements, including participation in discussions with potential founders.
- Take lead together with International and National Business Development Consultants, and project team in presentation and approval of the selected institutional set up at the Project board meeting.

- Providing advice and assistance in drafting the final version of the GCL business model and plan.
- Draft the statutory documents; shareholders agreements, articles of association, GCL board composition terms of reference.
- Providing expertise regarding the legal procedures and practices that may arise in the process of registration of the Green city lab.
- Provide legal support to National and International Business development Consultants in developing ToR for additional GCL staff needed (if any) and ToR for the team of experts and/or companies to be hired to support the capacity building of the existing Green City Lab staff.
- Provide legal support to the project team in developing an exit strategy for the Green City Lab.
- Drafting necessary legal documents identified and required for the implementation of the selected demo projects (including EMIS).
- Performing legal expertise of the legislation and provide legal opinion on various issues upon request
- Perform critical analysis of regulatory framework and develop relevant legal recommendations upon Project Manager request.

#### IV. Expected Deliverables

The assignment will be carried out within a maximum 100 working days, with the following deliverables:

#	Deliverables	Timeframe
1	Report on identification of the best option for the Green City Lab (GCL) set-up and necessary institutional arrangements, including participation in discussions with potential founders  Report on the best option for the Green City Lab set-up and necessary institutional arrangements (incl. Project board presentation).	By October 15, 2019
3	Report on legal support to National and International Business development Consultants for development of a business model, business plan for the GCL	By October 30, 2019
4	Draft the statutory documents; shareholders agreements, articles of association, GCL board composition terms of reference.	By November 20, 2019
5	Report on expertise regarding the legal procedures and practices that may arise in the process of registration of the Green city lab provided.	By December 10, 2019
6	Report regarding legal support provided to National and International Business development Consultants in developing ToR for additional GCL staff needed (if any) and ToR for the team of experts and/or companies to be hired to support the capacity building of the existing Green City Lab staff.	By December 10, 2019
7	Inputs to the Green City Lab exit strategy	By December 10, 2019

	Report on legal support provided for implementation of the selected demo projects (including EMIS).	By November 30, 2022
8.	Draft legal opinions on project related issues upon Project Manager request.	By November 30, 2022
9.	Critical analysis reports of regulatory framework and relevant legal recommendations to the project.	By November 30, 2022

Consultant's services shall cover the specified areas:

- In which UNDP would expect a prompt reply during the course of a telephone discussion or by way of a return call, as well as
- That requires further research or a written reply, or
- UNDP would need Consultant's presence.

The timing of each task to be undertaken by the Consultant will be mutually agreed with the Project Manager depending on the complexity of each assignment and legal terms established by law regarding the procedure to be followed. The overall timing should not exceed the expected maximum 100 working days.

#### **IV. Institutional arrangements**

The consultant will report to the Project Manager and will work in close coordination with the project team, national and international consultants and national partners.

#### **V. Qualifications and experience requirements**

##### Academic qualifications:

- Master's degree in law (public, private, environmental or economic).

##### Experience:

- Strong knowledge of the legislation of the Republic of Moldova;
- At least 5 years of working experience in legal area, preferably with the focus on business regulation and environment;
- Good knowledge of the legal procedures as governed by the legislation of the Republic of Moldova, in the field of civil law, business law, environmental law;
- Experience of working for the business companies or in the alike field will be an advantage;
- Strong analytical and inter-personal and communication skills;
- Fluent in Romanian, English and Russian languages;
- Full computer literacy.

##### Language requirements:

- Excellent knowledge of spoken and written Romanian/Russian/English.

## **VI. Payment modalities**

The consultant will organize and facilitate the implementation of all project advisory activities as described above;

The payments will be lump sum amount based, disbursed in quarterly instalments charged on the time-spent basis at agreed day rate upon satisfactory performance and approval of deliverables.

Prior to monthly payment request submission, the Consultant will provide Project Manager quarterly billing reports on the performed assignments and time consumed.

## **VII. Application process**

Applicants shall submit the following four documents:

### **Required**

- ☒ Offeror's Letter confirming Interest and Availability;
- ☒ Personal CV, including information about past experience in similar assignments and contact details for referees (at least 3);

If an applicant is employed by an organization/company/institution, and he/she expects his/her employer to charge a management fee in the process of releasing him/her to UNDP under Reimbursable Loan Agreement (RLA), the applicant must indicate at this point, and ensure that all such costs are duly incorporated in the financial proposal submitted to UNDP.

## **IX. Annexes to the TOR**

Annex 1- Individual Consultant General Terms and Conditions

Annex 2- P11 form

Annex 3- Financial proposal template