**TERMS OF REFERENCE**

**TECHNICAL SPECIALIST (Individual Consultant) - 1 position**

1. **BACKGROUND**

Romania has received a loan from the International Bank for Reconstruction and Development (IBRD) to support the implementation of the Integrated Nutrient Pollution Control Project – Additional Financing **(the Project)**, to be implemented over a period of six years, until 31 March 2022.

The Additional Financing for scaling-up will broadly maintain the objectives and structure of the Integrated Nutrient Pollution Control Project (INPCP) with slight modifications, intended to reflect the realities of the current situation and lessons learned so far under initial INPCP. The Additional Financing will finance works, goods, services and operating costs and comprises four components: (i) Component 1: Investments in Local Communities to Reduce Nutrient Pollution; (ii) Component 2: Support for Institutional Strengthening and Capacity Building; (iii) Component 3: Public Awareness and Information Support; (iv) Component 4: Project Management.

Under the Additional Financing the overall development objective of the Project is to support the Government of Romania towards meeting the EU Nitrate Directive requirements at national scale.

Under the present assignment, The Ministry of Environment, Waters and Forests (MoEWF), through the Project Management Unit (PMU) responsible for the implementation of Integrated Nutrient Pollution Control Project seeks contracting specialized consultancy services of an Individual Consultant – Technical Specialist to contribute to and facilitate the development and implementation of PMU’s Technical function.

1. **OBJECTIVES OF THE ASSIGNMENT**

The overall objective of the assignment is to enhance the INPCP-PMU technical capacity to manage and monitor technical and financial aspects of the civil works contracts and the related consulting services contracts financed under the INPCP – AF, in order to ensure their successful implementation.

The specific objectives of the assignment will be as follows:

* To ensure permanent updating of technical and financial indicators of the investments during the implementation period, as the case may be (pre-contract phase, execution contract phase, defects liability period of contracts and post-contractual period).
* To ensure the re-approval of technical and financial indicators of the investments during the implementation period, as the case may be (as a result of the price adjustments, and/or any price increase, and as a result of new/improved technical/remedial solutions, etc)
* To ensure elaboration of the inventories documentation (annual or whenever necessary) for the investment in progress or in the post-contractual phase;
* To support the financial department by providing relevant and up-to-date financial data for each investment at each phase of implementation;
* To support the technical department during the execution of the contracts in the elaboration of the management reports by providing relevant and up-to-date technical data and solutions, which comply with the approved design provisions and technical specifications.
* To provide guidance and proposals aimed to enhance the efficiency of contracts implementation process improving the quality, costs and duration of the process.

1. **SCOPE OF SERVICES:**

The scope of services is to ensure the monitoring of the technical and financial indicators during the implementation and to issue in real time guidance and proposals to optimize the quality, costs and duration of the contracts, in compliance with the relevant legal requirements of the Romanian legislation and World Bank policies.

The Technical Specialist will closely coordinate his/her activity with the other members and consultants of the PMU on Component 1 and with Financial department related activities under the Project.

The tasks and responsibilities of the Technical Specialist, applicable for each sub-project in the sub-projects portfolio of Component 1, as assigned, will relate to the implementation phases of the designated sub-projects.

During sub-projects’ implementation phase, the Consultant will provide consultancy services for monitoring the technical and financial indicators during the implementation of (i) the works contracts; (ii) of the related consultancy services contracts (namely the contracts for project management and works supervision signed with other consultants) and (iii) equipment contracts; and will closely coordinate his/her activity with the technical staff, financial department staff and consultants of the PMU with attributions on Component 1, for supporting and addressing the technical related aspects of the contracts implementation.

In particular, the Consultant will carry out the following main activities but not limited to:

1. To elaborate the inventories documentation (annual or whenever necessary) for the investments in progress or in the post-contractual phase;
2. To prepare up to date financial reports, monitoring the financial indicators, budget, costs, payments, cash -flow and trends for each investment in progress;
3. To perform a permanent monitoring of the cost variations due to the price escalation implemented according to contractual provisions or in accordance with legislative changes;
4. To prepare the documentation for re-approval of technical and financial indicators of the investments, as the case may be (as results of the price adjustments, as results of the price increase, as results of new/improved technical/remedial solutions, etc) and to obtain the approval of the Technical and Economic Commission (CTE);
5. To prepare the documentation for approval of updated technical and financial indicators for each investment;
6. To draft guidance and proposals aimed to ensure the costs control during implementation phase within the limits figured out by approved financial indicators;
7. To support the financial department by providing relevant and up-to-date financial data for each investment at each phase of implementation;
8. To support the technical department during the execution of the contracts in the elaboration of the management reports by providing relevant and up-to-date technical and financial data, which comply with the approved design provisions and technical specifications.
9. To ensure permanent contact with beneficiaries and monitor their share of expenditures for every investment;
10. Permanently update the expenditures incurred for every ongoing investment, in order to control whether they remain within the approved financial indicators;
11. **CONSULTANT’S PROFILE**

**The qualifications and experience required:**

1. university degree in a technical field: engineering /constructions, or similar;
2. at least 10 years of professional experience in one of the following:
   * design of agricultural, industrial, civil structures, hydrotechnical

or similar projects;

* + execution and/or monitoring and/or supervision of construction works;

1. specific experience in annual inventories of investments and updates of technical and financial indicators;
2. specific experience in working with a big number of investments;
3. specific experience and good understanding of legislation in Romanian public investments related projects is a must;
4. experience in international projects is an advantage;
5. computer literacy and sound knowledge of MS Office (including MS Excel and MS Access, AutoCAD; competences in other structural engineering software is an advantage;
6. good communication capacity with a wide variety of people;
7. analytical and reporting skills, strong written and oral communication skills;
8. excellent command of spoken and written Romanian and English is a must;
9. ability to work in multidisciplinary teams.
10. **DURATION OF THE SERVICES**

The duration of the consulting services contract is until June 30, 2023 (the closing date of the INPCP-AF Project) with a total input of 180 working-days. In case the contract continuation is needed and justified it may be extended and the total input may be increased. The Consultant’s monthly input will be of about 20 working-days/month. The monthly work-schedule will be established in agreement with the Client, depending on the latter’s needs and it may include months with full-time input and months with lower working-days/month input. The consultant is expected to commence performance of the services within maximum two-weeks after contract signing.

1. **REPORTING**

**Monthly Progress reports:** Based on the work plan agreed with the Client, the Technical Specialist will draw up and submit a progress report for the month in which (s)he provided the services. The monthly progress report will include, without being limited to, a brief description of the activities carried out during the reporting period, the current status of activities, the results obtained and also the time sheet for the corresponding month. The time sheet records the daily activity carried out by the Technical Specialist and will need to be approved by the contract coordinator designated by the Client.

In certain identified situations, the Technical Specialist will make general recommendations for possible solutions and approaches aimed at improving and/or streamlining the processes.

The monthly progress reports, in Romanian language, will be drawn up and submitted in one hard copy, as well as in electronic format (both scan and editable format).

The monthly progress reports will be submitted within 5 days as from the end of each month. All the reports will be submitted for approval by the Client’s representatives and will be the basis for the monthly payments to the Consultant under the contract.

**7. INSTITUTIONAL ARRANGEMENTS, INFORMATION and FACILITIES PROVIDED BY THE CLIENT**

The Consultant

* will work under the direct supervision of the Coordinator of Component 1 of the Project.
* will work directly with the experts and staff of the Technical Department of the PMU (Project Management Unit) and will collaborate with the other experts and staff of the PMU;
* will report to the PMU Director and to the Coordinator of Component 1;

At no time, may the Consultant disclose confidential information acquired during the implementation of the assignment to any person or entity whatsoever.

All documentation prepared by the Consultant during the implementation of the contract will remain the absolute property of the PMU. The Consultant will, not later than upon termination or expiration of the contract for the current assignment, deliver all such documentation to the PMU.

The Consultant will be an individual person (freelancer) (meaning a person authorized under the Law 300/2004 regarding the authorization of individual persons and family associations to carry out independent activities), therefore there will be no dependency relationship of the Consultant to the Client during the execution of the contract, from the perspective and as defined in the new Fiscal Code, as follows:

* between the Consultant and PMU there will not be a subordination relationship, but a cooperation and collaboration relationship;
* the working programme will be chosen by the Consultant and agreed with PMU, provided that all the deadlines for completion of the allocated tasks are met;
* activities will be carried out at the Consultant's premises or in the places chosen by the Consultant, at the works execution sites as assigned under his/her responsibility and, occasionally, at an average of 3-5 days per month, at the Client’s premises.

The Individual Consultant may also provide his/her services through a limited liability company with whom the Client may sign the contract. However, only the selected Individual Consultant will provide the services and no replacement will be permitted.

The Client will provide access to all relevant information and documents related to the Sub-projects and to stakeholders’ contact points in order to facilitate the implementation of the activities under this assignment.

For the occasional situations in which the Consultant will carry out activities at the Client's premises, the Client will provide a furnished and equipped office space at PMU’s premises, including access to the Internet and to PMU’s network resources.