

# Terms of References

<b>Purpose</b>	Legal Scan on Urban Sanitation	<b>Manager</b>	Olivier Germain
<b>Position</b>	Consultant	<b>Timeline</b>	June - July 2018
<b>Sector</b>	WASH	<b>Location</b>	TBC (Field work Shinyanga & Arusha)
<b>Project</b>	WASH SDG Programme	<b>No. of days</b>	Approx. 20 days

## Background

SNV Tanzania is not-for-profit international development organisation, working in 38 of the poorest countries worldwide, including 17 countries in Sub Saharan Africa. We focus on Agriculture, Renewable Energy, and Water, Sanitation & Hygiene. SNV's strategy addresses the following key elements: Inclusive development listens to and engages with people living in poverty, and underprivileged categories of the population such as young women and men. Realizing inclusive and sustained development at scale requires systemic change in sector performance and promoting equality. SNV supports local ownership by strengthening the capacities of local stakeholders in development processes for and on behalf of the poor.

In Tanzania, SNV is implementing WASH SDG Programme in Arusha and Shinyanga Regions. The project aims to sustainably improve access to and use of sanitation services and improve hygiene behaviours in the coming five years (2017-2022). It is built on three core strategic objectives, namely (1) increasing demand for improved WASH facilities and practices, (2) improving the quality of service provision and by (3) improving governance of the sector. The programme will contribute to achieving access to safely managed sanitation and improved hygiene behaviour for 160,000 and 200,000 people respectively in peri-urban/urban areas of Shinyanga and Arusha municipalities/cities. It is a multi-country programme that works with municipal governments to develop inclusive, safe and sustainable city-wide sanitation services.

The WASH SDG Programme is currently in an inception phase (1 July 2017 to 30 June 2018) during which a Legal Scan on Urban Sanitation is to be conducted in order to help inform the programme and shape the development of specific FSM interventions relevant to the two target cities. A legal scan is one of the key first steps when designing or delivering an urban sanitation and hygiene programme. Different aspects of the urban sanitation value chain and sanitation users are addressed in a range of different legal documents. The overall legal picture is often unclear to most stakeholders. The legal scan will therefore help the WASH SDG Programme to have an overview of legal arrangements that influence a safe and sustainable sanitation service and gain a better understanding of how these are actually enforced within the two target cities.

The WASH SDG Programme is therefore seeking to recruit a specialised consultant to carry out a Legal Scan on Urban Sanitation, focusing on both the actual Standards/Regulations/Policies and their enforcement in both Arusha and Shinyanga, in close collaboration with the SNV SDG team and local partners.

## Purpose, Aims and Objectives

**Aim:** The Legal Scan on Urban Sanitation aims to provide an up to date overview of the legal arrangements related to urban sanitation in Tanzania and how these are incorporated and enforced at local/district level to both inform the WASH SDG Programmes interventions and guide it in advocating for improvements that facilitate sustainable sanitation and hygiene outcomes for all.

### Specific Objectives:

1. Use the frameworks and tools offered by legal and policy arrangements to improve urban sanitation and hygiene outcomes
2. Advocate for improvements in legal, policy and institutional arrangements to facilitate sustainable sanitation and hygiene outcomes for all
3. Identify specific interventions and support required to improve the enforcement of urban sanitation related standards and regulations in both Arusha and Shinyanga

## Activities and timeframes

Activity (days)	Exp. Results	Est. Time period
<b>1. Review of all legal, policy and institutional arrangements and documents related to urban sanitation</b> - Review the recent study entitled “Analysis of Policies, Strategies and Regulatory Frameworks for Urban Sanitation in Tanzania hierarchy of legal documents” - Update legal scan with any new or updated materials	Brief report with review/analysis of additional legislation & Diagram with the Sanitation Service Chain indicating the key pieces of legislation for each stage of the chain	2 days
<b>2. Review and analysis of the way and extent to which these arrangements and documents are incorporated at the local/ district level (specifically in Arusha and Shinyanga)</b> - Analysis of Arusha and Shinyanga level plans, policies, bylaws, guidelines etc. pertaining to urban sanitation legislation	Report outlining the findings from each city	3 days
<b>3. Review and analysis of the mechanisms and level of enforcement of urban sanitation related legislation (standards, regulations etc.) in Arusha and Shinyanga</b> - Analysis of the tools/mechanisms used by the city institutions to enforce urban sanitation legislation - Analysis and assessment of the level of enforcement (use of scorecard) of urban sanitation legislation in both Arusha and Shinyanga (including successful experiences and current challenges)	Report outlining the key findings on tools/mechanisms and level of enforcement for each city	12 days
<b>4. Full Legal Scan report and recommendations + Presentation to Stakeholders</b> - Full report containing the different elements of analysis under activities 1 to 3, including clear recommendations and entry points for the SDG programme to strengthen urban sanitation legislation and support the cities to enforce these - Two separate PowerPoint presentations with the key highlights and recommendations by city	Full Legal scan report with conclusions and recommendations  2 PowerPoint Presentations (one for each city)	3 days

**Note: Activities 1 to 3 should take place before the end of June 2018**

## Deliverables

**Deliverable 1:** Successful completion of a brief report with review/analysis of additional legislation & diagram with the Sanitation Service Chain indicating the key pieces of legislation for each stage of the chain (see activity 1)

**Deliverable 2:** Successful completion of report outlining the incorporation of urban sanitation legislation within each city’s plans/bylaws and the relevant institutional arrangements (activity 2))

**Deliverable 3:** Successful completion of a report outlining the key findings on tools/mechanisms and level of enforcement for each city in relation to urban sanitation legislation (activity 3)

**Deliverable 4:** Successfully completion of the full legal scan report with conclusions and recommendations and 2 PowerPoint Presentations (one for each city) with key highlights (activity 4)

## Profile

- Specialist in conducting policy and legislation reviews and research
- Excellent track record of writing detailed analytical reports with clear policy and practical recommendations
- Good understanding of WASH policies/legislation (specifically in relation to urban sanitation and hygiene) is an advantage
- Excellent analytical and research skills
- Excellent proficiency in both oral and written English (Swahili an advantage)
- Self-motivated and able to work independently
- Ability to travel to Arusha and Shinyanga (and other relevant locations in Tanzania)

**Note:** The call should be open to both national and international consultants. Both suppliers registered as individuals and as a company will be accepted.

## Evaluation Criteria

Criteria	Criteria	Maximum score
1	Qualifications and experience of the consultant(s) – see profile section for key criteria needed	50
2	Understanding of the ToR, Proposed Methodology, and work plan.	30
3	A sample of at least one Legal scan or study of policies/legislations type report or assessment completed within the last 12 months.	20
	TOTAL	100

## Submission of Expression of interest

Interested organisation or firms or consultant are requested to submit:

- A) Technical proposal with the following details,
  - Understanding of the task
  - Methodology
  - Operational plan
- B) A sample of previous similar work experience (Legal Scan, Policy Analysis) type report completed within the last 12 month. With it please provide contact details of the responsible person from the organisation in which the research was done.
- C) CV and outline of specific tasks for each team members and Contact details from at least 3 organizations/contractor worked with and assignment performed in the last five years
- D) Financial proposal in both USD and Tanzanian shillings
- E) For registered Tanzanian consultants / businesses, please provide a copy of TIN - Tax Registration certificate/ Business Licence or NGO registration/ Tax clearance certificate. For consultants / firms not registered in Tanzania please provide national equivalent. **(These items are mandatory and failure to provide them will result in disqualification of the entire bid).**

Please submit the EOI named " **Urban San Legal Scan**" by email to: [Tanzaniaprourement@snv.org](mailto:Tanzaniaprourement@snv.org) by **1700 EAT 30<sup>th</sup> May 2018.**