LOCAL EMPOWERMENT FOR GOVERNMENT INCLUSION AND TRANSPARENCY (LEGIT)

SCOPE OF WORK (SOW)

Terms of reference for a consultant to develop a ten-year implementation plan for the Local Government Act of 2018 that aligns with and supports the Government of Liberia’s Pro-poor Agenda for Prosperity and Development

<table>
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<tr>
<th>POSITION</th>
<th>Senior Decentralization Specialist</th>
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<tbody>
<tr>
<td>PERIOD OF PERFORMANCE</td>
<td>August 1, 2019 - October 31, 2019</td>
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<tr>
<td>MAXIMUM LEVEL OF EFFORT</td>
<td>50 days (intermittent)</td>
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<td>LOCATION</td>
<td>Monrovia and three counties to be determined by MIA</td>
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<td>POSITION REPORTS TO</td>
<td>LEGIT Chief of Party and Ministry of Internal Affairs designee</td>
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LEGIT Background

LEGIT is a four-year, USAID-funded project that focuses on increasing the accountability, transparency, and effectiveness of sub-national government resources in Liberia by supporting the Ministry of Internal Affairs (MIA) and Governance Commission (GC) as they lead, monitor, and coordinate the implementation of the Government of Liberia’s (GOL) decentralization agenda. LEGIT is also working with local civil society organizations, and strengthening subnational institutions in Bong, Nimba and Grand Gedeh counties, and Gbarnga, Gompa and Zwedru cities, to be more capable, transparent, and responsive to citizens. This is achieved, in part, by partnering with county and city authorities to build their capacity to effectively deliver services in an increasing decentralized environment.

LEGIT has the following four objectives:

- Increase the capacity of government institutions to make incremental and sustained progress in the implementation of the National Policy on Decentralization and Local Governance, and the Local Government Act;
- Strengthen the capacity of county administrators to coordinate and provide oversight of government activities across sectors;
- Improve the capacity of cities to manage revenues and deliver services; and
- Increase citizen representation in planning and decision making on service delivery in counties and cities.

To support the GOL’s decentralization agenda, and MIA’s mandate to implement the 2018 Local Government Act (LGA), LEGIT is recruiting a consultant to assist the MIA to develop an LGA Implementation Plan, described in detail below.
Liberia’s Decentralization Context

Decentralization in Liberia seeks to engender citizens’ participation in governance and to promote a system of grassroots democracy that considers the views and aspirations of all citizens in local governance. A decentralized governance system will play a major role in determining development outcomes in Liberia, and local governments are at the core of the decentralization strategy. The core responsibility of local governments is to deliver services based on the extent of power, authority and resources at their disposal.

The Local Government Act of 2018 (LGA) provides for the empowerment of local government entities to manage certain public functions; and provide certain social services in a manner that is equitable, responsive and transparent. It also provides that the main function of local governments is to deliver basic public goods and services.

On behalf of the MIA, LEGIT will hire a consultant to develop a ten-year LGA Implementation Plan that aligns with and supports the GOL’s Pro-poor Agenda for Prosperity and Development (PPAPD). This Implementation Plan will be used by all relevant ministries, agencies and commissions (MACs) and stakeholders to implement decentralization reforms in Liberia.

LGA Implementation Plan Content

The LGA Implementation Plan should provide guidance that the MIA, GC, Ministry of Finance and Development Planning (MFDP) and other decentralization stakeholders can use as reference for implementing the LGA. The Implementation Plan should specifically address the following technical areas, which are clearly described in the LGA.

Establishment of Local Government Structures

- Identification of the steps that need to be taken to establish county administrations, county administration departments, county councils, and other entities described in the LGA; and
- Describe the roles of the county superintendent and MIA in setting up sub-county administrative bodies, advisory councils and other entities described in the LGA.

Financing Local Governments

- Identify the financial and legal responsibilities of central and local government entities in revenue mobilization, collection and sharing; and
- Define the responsibilities between central and local government expenditure obligations for service delivery in education, health, agriculture, and other devolved functions.

Longer-term Political Decentralization

- Identify legislation and constitutional amendments required to reform the selection process for local government officials;
- Review relevant existing laws, policies and strategies, including but not limited to the Pension Law of Liberia, the Civil Service Standing Orders/Regulations; and the National Social Security Pension Scheme, to ensure that the Implementation Plan includes an activity focusing on the development of a compensation strategy (including pensions, retirements, and/or a
redirected workers program) for all local officials and civil servants impacted by reforms required by the LGA.

Stakeholders in Planning and Implementation

- Identify key stakeholders, and specify their roles and responsibilities, specifically focusing on:
  - Overall strategic leadership;
    - Assessing existing multi-stakeholder structures; and
    - Recommending the review of existing or establishment of new planning, coordination and implementation structures
  - Legal mandates for MACs:
    - With devolved functions; and
    - Without devolved functions, but required to support or facilitate devolution
  - Areas of functional specialization and institutional capacity
- Roles of existing local government administrations
  - County administration
  - Municipal authorities
  - Other local government authorities

Timeline for Implementation

- Recommend timing and sequencing for implementation of LGA activities
- Identify implementation milestones as well as deliverables and indicators to assess their achievement

This Implementation Plan may also include sensitization activities that align with the achievement of key milestones.

Organization of the LGA Implementation Plan

The LGA Implementation Plan should contain the following sections:
- LGA strategic priorities;
- Phase one implementation plan (years 1-5);
- Phase two implementation plan (years 6-10);
- Detailed annexes with documents and individuals consulted, methodological approach, and other relevant supporting materials.

The Implementation Plan should be divided into the following three primary sections.

Strategic Priorities

The first section of the Implementation Plan should focus on the high-level strategic priorities of the GOL’s decentralization agenda, informed by and aligned with the Republic of Liberia Constitution, LGA, PPAPD, Public Financial Management (PFM) Act, and other relevant high level GOL documents. These priorities should also be informed by input from MIA, MFDP and GC leadership.
Implementation Plan Phase One: Establishment and Operations of Local Government Structures

The first rollout phase will be five years in duration, and focus on formulating and implementing the legal, policy, administrative, and fiscal reforms needed to ensure compliance with the provisions of the LGA regarding establishment and operations of local government structures. The key outcomes of this phase will be: establishing administrative and advisory bodies at all levels of local government; developing the framework for financing local governments; providing basic infrastructural, human resource, and logistical resources to facilitate the functions of local governments; promulgating legislation on the status of municipalities; and determining the methods of selecting local government officials as currently described in the Constitution.

Implementation Plan Phase Two: Consolidation of Local Government Structures

The second five-year phase will identify new policies and/or legislation (if required) to either consolidate the successes of the first phase or address emerging challenges. This phase should specifically identify activities that can sustain LGA implementation over the medium- and long-term, in terms of financial viability, alignment with broader legal and constitutional requirements, and local ownership of and engagement with newly created local government structures. This phase should clearly identify the difference between central and local governments’ fiscal responsibilities consistent with the LGA by indicating the revenue entitlements of both levels of government and their corresponding expenditure obligations.

Methodological Approach

The consultant will systematically conduct a desk review, select interviews, and focus group discussions (as described below) to develop this plan. Interviews will be semi-structured, and field visits will be conducted in three counties, which will be determined by the MIA. S/he will be assisted by staff members of the MIA, GC and MFDP. The duration of this assignment is fifty days (intermittently used), to be concluded with a one-day stakeholders’ validation workshop and a final version of the LGA Implementation Plan. The consultant will specifically be expected to:

- Thoroughly review the Republic of Liberia Constitution, PPAD, National Policy on Decentralization and Local Governance (“Decentralization Policy”), the Deconcentration Implementation Strategy and the National Deconcentration Platform (“Deconcentration Platform”), and the PFM Act (and related regulations), along with the LGA;
- Conduct a desk review of other relevant official documents related to decentralization in Liberia, specifically from the MIA, MFDP, and relevant MACs concerned with decentralization;
- Systematically identify and interview a cross-section of respondents from various decentralization stakeholders in Liberia, including but not limited to GOL entities and the national and sub-national levels, MACs, development partners, and civil society organizations;
- Hold focus group discussions with these stakeholders as appropriate; and
- Develop a detailed Implementation Plan, indicating a description of each activity, the sequencing of these activities and interventions for implementing these activities.
Key Deliverables

- Inception report including a consultant work plan
- Presentation materials for one-day workshop with senior officials, technicians and other staff of MIA, MACs and development partners (including but not limited to the United Nations Development Program, European Union, Swedish Embassy, and the United States Agency International Development) to ascertain their perspectives on LGA implementation, and review their preparedness to roll out of the LGA, specifically focusing on:
  - Planning and implementing the LGA at central and local levels
  - Devolution of authorities from the national to local government entities
  - Anticipated roles of key stakeholders in rolling out the decentralization process as described in the LGA
- Workshop report
- Field visits to three counties from the southeast, central and western regions (to be determined by MIA), interviewing local officials, civil society and community based organizations, and conducting focus group discussions as required;
- Field visit report
- Draft #1 LGA Implementation Plan for key stakeholder comments
- Revision of Draft #1 LGA Implementation Plan based on key stakeholder comments
- Presentation materials and Draft #2 LGA Implementation Plan for presentation at validation workshop
- Revision of Draft #2 LGA Implementation Plan based on validation workshop comments
- Final version (Draft #3) of LGA Implementation Plan

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<th>Activity No.</th>
<th>Description</th>
<th>Deliverables</th>
<th>Due Date</th>
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<tbody>
<tr>
<td>1</td>
<td>Research for inception report with brief outline of LGA Implementation Plan and consultant work plan</td>
<td>Inception report (five pages) and detailed consultant work plan</td>
<td>Day 5</td>
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<tr>
<td>2</td>
<td>Preparation of presentation materials for inception workshop with senior decentralization officials and partners</td>
<td>Inception workshop presentation materials, consultant to moderate this workshop</td>
<td>Day 10</td>
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<tr>
<td>3</td>
<td>Prepare inception workshop report</td>
<td>Inception workshop report (five pages)</td>
<td>Day 15</td>
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<tr>
<td>4</td>
<td>Field visits to three counties to conduct interviews and focus groups discussions</td>
<td>Field visit report (five pages)</td>
<td>Day 30</td>
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<tr>
<td>5</td>
<td>Develop Draft #1 LGA Implementation Plan</td>
<td>Draft #1 LGA Implementation Plan</td>
<td>Day 35</td>
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<tr>
<td>6</td>
<td>Share Draft #1 with key decentralization stakeholders and revise accordingly</td>
<td>Draft #2 LGA Implementation Plan</td>
<td>Day 40</td>
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<tr>
<td>7</td>
<td>Prepare presentation materials for Implementation Plan validation</td>
<td>Presentation materials for workshop, moderate validation workshop</td>
<td>Day 45</td>
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<td>Activity No.</td>
<td>Description</td>
<td>Deliverables</td>
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<tr>
<td></td>
<td>workshop with key decentralization stakeholders</td>
<td>Final version (Draft #3) of Implementation Plan</td>
<td>Day 50</td>
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<tr>
<td>8</td>
<td>Final revisions of Implementation Plan based on validation workshop comments</td>
<td>Final version (Draft #3) of Implementation Plan</td>
<td>Day 50</td>
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This timeline assumes that consultant will be continually developing and updating Implementation Plan throughout the early inception and field visit stages, culminating in a full draft completed by Day 35.

**Professional Experience**

- Minimum of a Master of Arts degree in Public Policy, Development Studies, Social Sciences, or related field of studies.
- At least 5-10 years of experience in decentralization and drafting policy implementation strategies;
- Experience working with civil society organizations;
- Demonstrated experience working with national and local government institutions around decentralization and deconcentration issues;
- Sound understanding of the social, economic and political context of Liberia;
- Proven record of analytical work on public administration, service deliver, development planning and local government institutions;
- Willingness to work openly and transfer knowledge to staff assigned;
- Applied research experience, evidenced by at least one report of recent research work completed; and
- Excellent writing and communication skills in English.

**Reporting**

The consultant will report to the LEGIT Chief of Party, but work directly with a designated point of contact from the MIA, who will serve as the primary liaison with other key GOL and development partner stakeholders.

The MIA and GC will assign technical points of contact to support the work of the consultant.

The MIA and LEGIT will also provide the consultant with work space and internet access as required. LEGIT will provide transportation, lodging, and meals and incidental expenses for consultations in three counties.

**Application Instructions**

- Detailed cover letter explaining how candidate’s experiences are relevant to the completion of required deliverables
• CV to include qualifications/competencies and relevant past experience in similar projects (as described in Professional Experience section above)
• Contact details of two professional referees who can certify competencies, professionalism, writing quality, presentation skills, and overall suitability to this project.
• These documents should be emailed to LEGIT_Recruitment@dai.com. Please indicate in the subject line “Senior Decentralization Specialist”. The deadline for submission of applications in July 18, 2019.

Women and people with disabilities are strongly encouraged to apply.