

Invitation to Express an Interest (EAI) in possible consultancies

Terms of Reference

Project	Support to Further Implementation of Local Administration Reform in Turkey Project (LAR Phase II)
Post Title	International/local consultant
Reference	LAR/EAI
Duration	Short-term assignments upon UNDP Turkey's request based on needs of specific activities of the Project
Date	January 2010

The aim of this Invitation to Express an Interest (EAI) is to establish a qualified pool of international and national consultants who can deliver professional services within the scope of **Support to Further Implementation of Local Administration Reform in Turkey Project (LAR Phase II)**. UNDP will develop specific terms of reference for each specific assignment to be undertaken within the project. **Detailed guidance is provided in the instructions to applicants.**

1 Project Background

Pursuant to articles 123 and 127 of the Constitution of the Republic of Turkey, local administration is an integral part of a unitary public administration system, which also comprises the central administration. The system operates under the overall direction and responsibility of the Council of Ministers, and in the framework of the laws adopted by the Parliament (The Grand National Assembly of Turkey) and ratified (through signature and promulgation) by the President of the Republic.

Local administration consists of a number of public corporate entities established to meet the common local needs of the inhabitants of provinces, municipal districts and villages. The decision-making organs of local administrations are elected and their responsibilities, powers, basic structure and resources are determined by law.

At present there are 81 special provincial administrations, 2951 municipalities and 34392 villages. Municipalities comprise 16 metropolitan municipalities, 143 metropolitan district municipalities, 65 provincial municipalities, 749 district municipalities and 1978 town municipalities.

With the approval of the central administration (Governor or Council of Ministers), all these basic entities may also establish unions for joint delivery of local services or for other purposes. These unions (more than 1500) are also public entities which belong to the local administration system.

In accordance with the Constitution, the central administration has the power of administrative trusteeship (tutelage) over the local administrations, in the framework of principles and procedures set forth by law, with the objective of ensuring the functioning of local services in conformity with the principle of the integral unity of the administration, securing uniform public service, safeguarding the public interest and meeting local needs in an appropriate manner.

This tutelage was being exercised through District and Province Governors appointed by the central government, as well as through the General Directorate of Local Authorities and other units in the Ministry of Interior (such as the Board of Inspectors). However, while maintaining tutelage as a constitutional principle, the new Laws adopted in 2004-2005 have introduced a drastic shift in the relationships between central and local administration, to set them in line with the standards and criteria laid down in the European Charter of Local Self-government (Article 8).

Until recent legal reforms, Turkish local administrations were mainly responsible for a limited set of traditional local services such as town planning, urban infrastructure facilities such as water supply, sewage and waste water disposal, urban ways, geographic and information systems, urban traffic and transport services; hygiene and solid waste collection and disposal; policing, fire fighting, emergency, rescue and ambulance services; cemeteries and funeral services; tree planting, parks and green areas. However, the steady and fast process of urbanization and of migration from rural to urban areas (more than 70% of the total population lives in cities) has had a big impact in the coverage and quality of such basic services, as well as in the costs for their provision. Moreover, the new legislation adopted in the past years has expanded the scope of the responsibilities of local administrations in the provision of public services, as well as in the promotion of the social and economic development of the relevant communities.

From an economic and financial perspective, local administration (local public sector) output, in terms of % of GDP, has remained around 4%, with a significant decrease over the period 1999-2003. The participation of the local administrations in Turkey's consolidated public expenditure (excluding debt service) stands at the level of 10% (7-8% if debt service is included). Municipalities account for more than 80% of the consolidated budgets of the local administrations. (World Bank; Turkey, Municipal Sector Review 2004).

After the signature and ratification of the European Charter of Local Self-Government by the Republic of Turkey in 1993, and linking with past reform efforts (even in the late 1970s) which failed to materialize because of general political developments in the country, several successive governments have been working in the formulation of new policies and legislation aimed at the reform and modernization of the local administration system in Turkey, in the context of broader policies on public administration reform.

However, parallel to the gaining momentum of Turkey's EU accession process, the country has witnessed concrete reform initiatives in the last five years. The common objective of these reform initiatives are to attain an evolving process of rationalization, modernization and decentralization of the system of public administration in the country. In follow up to this consensus on the change in the local administration system, new legislation on local administrations was prepared and enacted starting from 2004.

The new law on Public Financial Management and Control, also applying to local administration, was adopted in late 2003 (later amended in 2005). A draft Law on Villages is also prepared and is in the process of public consultation. In addition to these, a new Regulation on the Procedures and Principles to be applied in the Delivery of Public Services was enacted in 2009.

The implementation of all these new legal instruments poses huge challenges to local administrations (elected representatives and staff), to their unions, and to the central administration bodies responsible for local administration, namely the Ministry of Interior, governorates and district governorates. Such challenges are particularly acute in what concerns full information and understanding of the changes introduced by the new legislation as well as regarding the development of the institutional and professional capacities required for implementing an important number of the reforms approved by the Government and the Parliament, which includes strategic planning, multi-annual budgeting based on programmes, introduction of standards and performance indicators for public services, establishment of effective internal control systems mostly based on ex-post audits, access to information and citizens' participation in decision-making processes – through consultations and institutional representation of civil society organizations, formulation and management of projects aimed at socio-economic development of the relevant communities.

The Turkey 2009 Progress Report of the European Commission points out to the need to establish operational city councils and to improve democratic governance mechanisms in order to enhance public participation in local administrations. Inclusiveness, transparency and enhanced accountability at the local level are also pointed out as vital areas to be improved.

In local administrations, capacity-building efforts should give priority to the following target groups: 1) mayors and elected members of municipal councils and provincial assemblies; 2) deputy mayors, secretaries-general and other top managers of the local administrations. An additional target group of great importance for the successful implementation of the reform is the members of the new audit commissions, as well as the technical staff to be involved in internal audit. Alongside awareness-raising and training activities, the experience gained through the first LAR Project shows the importance and impact of designing and implementing a limited number of all-encompassing demonstration of

practical experiences (pilot projects), whose learning and outputs can then be replicated to a larger number of local entities.

However, the long-term sustainability of the efforts and progress of any project depends to a great extent on the development of a consistent and comprehensive strategy for capacity-building in local administrations and, which is embraced and owned by all relevant stakeholders. A key Component of this strategy should be the establishment of a high quality and accredited training programme for local administration managers, focusing in the development of skills and capacities required for leading changes in local administrations such as strategic planning and organizational improvement.

In the medium-term, the role of the central administration vis-à-vis the local administration will have to undergo a profound transformation: tutelage and command-and-control systems must be replaced by the capacity to co-ordinate and lead the development of additional reform policies and instruments, to establish appropriate and flexible regulatory frameworks for local administrations and services including minimum standards and to develop and manage instruments of co-operation between central government and the local administrations. The mandate, organization, management culture and practice, technical resources and human resources capacities of the central administration units responsible for local administration will have to be reviewed and adjusted to the new framework. Training for MoI/GDLA staff, integration, upgrading and further development of ICT-supported databases and management information systems and the further development and refinement of existing programmes to support investments in small-scale local infrastructures in the villages and municipalities with less resources and capacities will be the priorities to be addressed through this project.

In the process of building a modern system of local administration, the unions of local authorities will play a very important role. However, the capacity of the unions of local authorities is still very limited. For this reason, the project will support the development of the capacities in the unions, with a particular emphasis in the development and implementation of a strategy for improving the communications between the national union (UMT) and all the LAR stakeholders. A second priority in this area will be to support the development of a better understanding and capacity among local authorities in Turkey as regards the benefits of inter-municipal partnerships, both international and domestic. As highlighted in the draft strategy elaborated under the first LAR Project, and notwithstanding the role to be played by the central administration the key tasks and responsibilities in this field belong to the unions of local authorities.

The strengthening of participatory and inclusive decision-making at local level will require a decisive support to the effective establishment and regular operation of the newly introduced city councils as well as to a limited number of innovative projects and initiatives involving co-operation between local authorities and civil society, so as to create a bank of best practices, which can be used as a reference for spreading and deepening citizens' participation in decision-making in all local administrations in Turkey. A special emphasis here will be facilitating and achieving women's equal participation.

The reforms in the local administration in Turkey are being supported by a number of international donors and development agencies (World Bank Municipal Sector Review and Municipal Services Project, UNDP Local Agenda 21 project, etc.). The EU has also been active in this area, through the external aid programmes managed by the EC in the context of Turkey's pre-accession process. Some EU member states are also providing bilateral assistance through projects funded by their own respective development cooperation agencies and programmes and managed mainly by local administration associations.

As regards the policy context, as laid down in the 9th National Development Plan and followed in the Medium Term Programme of the State Planning Organisation for 2010-2012; increasing the own revenues of local administrations and improving their financial management, improving the institutional capacity at the local level and rationalizing authorities and responsibilities among institutions among are the main objectives and reform areas. The Strategic Plan of the Ministry of Interior for 2010-2014 also includes ensuring efficiency, effectiveness, participation, openness and accountability at local administrations as one of its main goals.

2 LAR Phase II Project

Support to Further Implementation of Local Administration Reform in Turkey Project (LAR Phase II) (“the Project”, hereinafter) is an EC-funded project. The project is being implemented by UNDP within the scope of a Contribution Agreement, signed between Central Finance and Contracts Unit (CFCU) and UNDP on 02.09.2009. The direct beneficiary of the Project is the Ministry of Interior (MoI), General Directorate of Local Authorities (GDLA). The target groups include the Ministry of Interior, the Union of Municipalities of Turkey, governorates, district governorates, municipalities, special provincial administrations, unions of municipalities and elected representatives and senior staff professionals serving in these institutions.

The overall objective of the Project is to ensure effective, transparent, inclusive and participatory local government in Turkey, in particular through full implementation of the new legislation adopted in 2003-2005.

The specific objective of the Project is “to develop and strengthen the administrative capacity and co-operation of Turkish Ministry of Interior (particularly General Directorate for Local Authorities, Governorships and District Governorships), Unions of Local Authorities and Local Authorities themselves in the task of ensuring the effective implementation of new policy and legislation on local administration”.

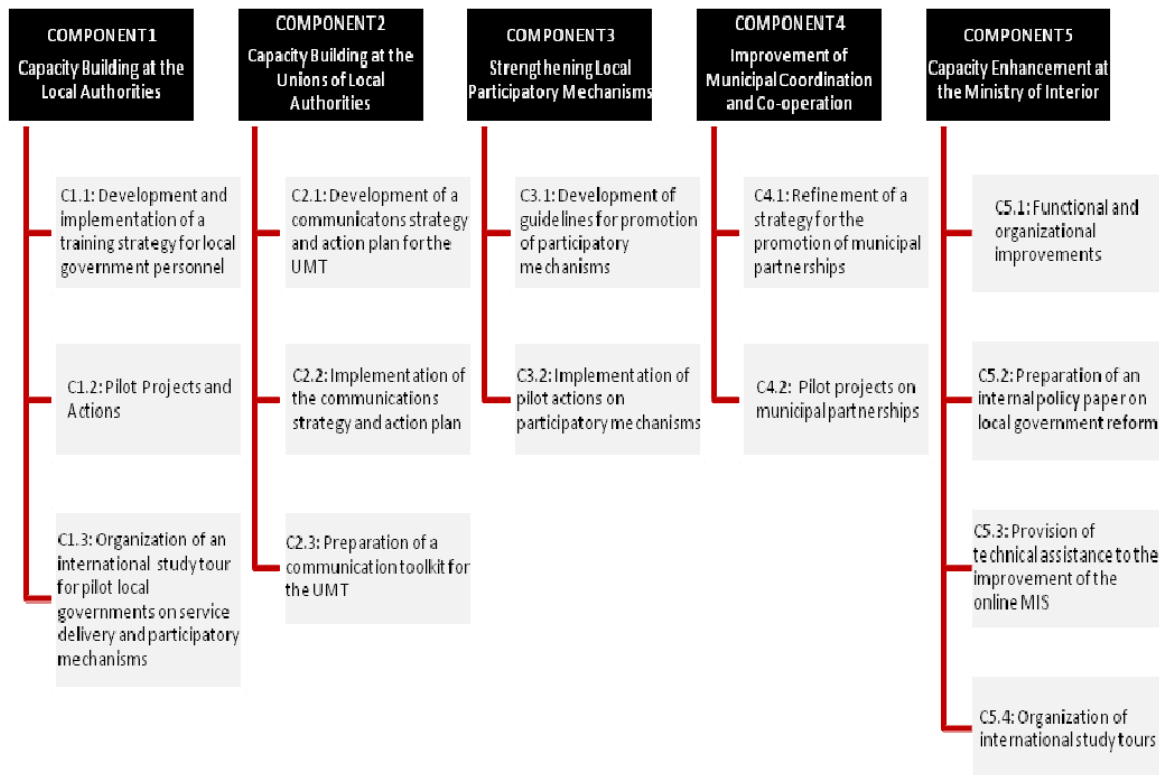
The first phase (LAR Phase I) of the project, which was also financed by the EC, started in August of 2005 and was completed in November 2007. The present Project’s intervention logic leverages on the experience gained in Turkey since the reform initiatives were first launched in early 2000s and during the execution of the LAR Phase I. Accordingly the Project aims at:

- **Enhanced Capacity at the Ministry of Interior and Local Authorities:** These needs have been identified during the execution of LAR I and prioritized upon further consultations at the MoI. The Project will address these needs through organisation of training programmes, awareness-raising events, study tours, and by developing new tools including handbooks, guidelines, online tools and improving the already existing ones.
- **Enhanced Effectiveness in Functional and Organizational Strategies:** The overall reform strategy needs specific strategies such as enhancing participatory mechanisms, municipal cooperation to be developed and deployed. Some of such functional strategies, i.e. municipal cooperation, have been developed within LAR I, and will be further refined and improved. Some others, such as enhancing participatory mechanisms, will need to be developed by benefitting from other joint initiatives with the Ministry of Interior such as Local Agenda 21.
- **Enhanced Effectiveness in Municipal Service Delivery Through Pilot Projects:** Finally, the project will design and implement pilot projects and initiatives. The pilot projects and initiatives will test the efficiency and effectiveness of the present approaches, tools and interventions, and will also be utilized to draw lessons for furthering the local administration reform process. This would also involve the improvement of some selected municipal service delivery processes.

The Project is composed of the following five components:

- Component 1: Capacity Building at the Local Authorities
- Component 2: Capacity Building at the Unions of Local Authorities
- Component 3: Strengthening Local Participatory Mechanisms
- Component 4: Improvement of Municipal Coordination and Cooperation
- Component 5: Capacity Enhancement at the MoI

The following figure presents the overall structure of the project components and activity groups:



Component 1. Capacity Building at the Local Authorities: The objective of Component 1 is to strengthen the capacity of elected representatives and professional managers and staff from local authorities. This will be achieved through training programmes targeting all municipalities and demonstration projects in 11 pilot authorities. This would also involve the improvement of some selected municipal service delivery processes. The activities to be fulfilled under C1 will build on and complement the capacity building activities that have been performed during the first phase of the Project (LAR1) and will target elected local politicians, mainly first-time elected mayors, professional managers and staff in local authorities, and managing directors of local authorities.

Component 2. Capacity Building at the Unions of Local Authorities: The objective of Component 2 is to improve communication among the unions of local authorities and between the unions and other national and international organisations. The project will develop and implement a strategy and action plan for this purpose. In particular, this component aims at strengthening the capacity of Union of Municipalities of Turkey (UMT). The project will also design a communications toolkit to enhance communication capabilities at the UMT.

Component 3. Strengthening Local Participatory Mechanisms: The main objective of Component 3 is to strengthen the capacity of the newly established city councils and other participatory mechanisms and encourage the effective operation of these participatory mechanisms to promote transparency, accountability and public involvement in local government decision making. In addition to the work to be carried out with city councils, the project will put specific emphasis on improving the operation of the participatory mechanisms within the municipal councils such as audit committees and specialized committees.

Component 4. Improvement of Municipal Coordination and Cooperation: The Component 4 aims at increasing the number and broaden the scope of twinning arrangements and partnerships between Turkish and European municipalities and between and among Turkish municipalities. It will also aim at improving co-

operation in the management of local public services. Activities will focus on the promotion of municipal partnerships and the project will implement pilot actions involving co-operation between Turkish and European local authorities.

Component 5. Capacity Enhancement at the MoI: The Component 5 aims at improving the capacity of the General Directorate of Local Administration within the Ministry to guide the reform process. The activities to be implemented for this purpose will include the design and implementation of training programmes, the evaluation of existing financial assistance programmes to local administrations, provision of technical assistance to the improvement of the online MIS and international study tours.

3 Required services

Every assignment will be guided by specific terms of reference, which will clearly stipulate the nature and scope of the assignment, detailed list of deliverables, and timeframe. The following table demonstrates the service categories in general and brief description of the services that are planned to be procured within each service category.

No	Specific Expertise Areas*	Brief Description of Services
1	Capacity Building at the Local Authorities	<ul style="list-style-type: none"> • Conducting training needs assessments at the Local Authorities • Development of training strategies and tools for the Local Authorities • Delivery of training programmes to the Local Authorities • Design and implementation of pilot projects aimed at improving the delivery of local authority services. • The provision of technical support for the standardization of selected municipal services. • Organization of study tours for local authorities on service delivery and participatory mechanisms • Other tasks in relation to capacity building at the local authorities
2	Capacity Building at the Unions of Local Authorities	<ul style="list-style-type: none"> • Development of communication strategies, communications toolkits and action plans for national and regional municipal associations/unions • Design and delivery of training programmes for the staff of unions of local authorities • Other tasks in relation to capacity building at the unions of local authorities
3	Strengthening Local Participatory Mechanisms	<ul style="list-style-type: none"> • Assessment of the current circumstances regarding local participatory mechanisms • Preparation of the guidelines for the effective operation of city councils and other participatory mechanisms • Organization of awareness raising events for local participatory mechanisms • The design and implementation of pilot actions on participatory mechanisms • Other tasks in relation to strengthening local participatory mechanisms
4	Improvement of Municipal Coordination and Cooperation	<ul style="list-style-type: none"> • Development of strategies for inter-municipal coordination and cooperation • Design and implementation of partnership development programmes that encourage national and international municipal partnerships and twinning arrangements. • Other tasks in relation to improvement of municipal coordination and cooperation

No	Specific Expertise Areas*	Brief Description of Services
5	Capacity Enhancement at the Ministries responsible for Local Authorities	<ul style="list-style-type: none"> • Conducting training needs assessments of government ministries and local governments • Development of training strategies and tools for the Ministries responsible for Local Authorities • Functional and organizational review of Ministries responsible for Local Authorities • Preparation of policy papers and strategy documents on local government reform processes • Provision of technical assistance to the The design and establishment of online national/regional databases and information systems for the collection of financial, administrative, operational and performance data from local governments • Design and implementation of study tours to EU countries to study local government operations and relations with central and state governments. • Other tasks in relation to capacity enhancement at the ministries responsible for local authorities
6	Others	<ul style="list-style-type: none"> • Other tasks in relation to professional consultancy services for local administrations

* Additional service categories and corresponding descriptions may be included as deemed necessary by UNDP.

4 Required Qualifications

The minimum required qualifications as well as the *preferred* professional and educational assets are listed below.

4.1 General Qualifications

- University degree in political sciences, public administration and administrative sciences (i.e. management, economics etc.), social sciences. Asset: advance degrees.
- Proficiency in English, both spoken and written is a must. (proficiency in Turkish, may be a minimum requirement or an asset depending on the nature of the assignment)
- Advance computer skills in using applications, such as word processors, spreadsheets etc. (Depending on the nature of the assignment advanced computer skills in statistical software, design software, audiovisual software, engineering software may be sought as a minimum requirement or an asset)

4.2 Professional Experience

- A minimum of 3 years of professional experience is required. Asset: professional experience of more than 3 years.
- Consultants that have a minimum of 5 years of international experience (professional and/or academic experience gained in an international environment) are considered international experts; Asset: international experience of more than 5 years.

Paid/unpaid internships and obligatory military service are not considered professional working experience.

4.3 Specific Experience

The required specific experience depends on the scope of the specific assignments, details of which will be communicated through respective TORs. The following requirements are indicative and additional requirements can be included at any time by UNDP.

- At least 3 years of experience in Capacity Building at the Local Authorities (Conducting training needs assessments at the Local Authorities, Development of training strategies and tools for the Local Authorities, Delivery of training programmes to the Local Authorities, Design and implementation of pilot projects aimed at improving the delivery of local government services, Organization of study tours for local authorities on service delivery and participatory mechanisms), involvement in the development of

performance standards and measures for the delivery of local authority services in at least two local authorities, and/or

- At least 3 years of experience in Capacity Building at the Unions of Local Authorities (Development of communication strategies, communications toolkits and action plans for national and regional municipal associations/unions, Design and delivery of training programmes for the staff of unions of local authorities) and/or
- At least 3 years of experience in Strengthening Local Participatory Mechanisms (Assessment of the current circumstances regarding local participatory mechanisms, Preparation of the guidelines for the effective operation of city councils and other participatory mechanisms, Organization of awareness raising events for local participatory mechanisms, The design and implementation of pilot actions on participatory mechanisms) and/or
- At least 3 years of experience in Improvement of Municipal Coordination and Cooperation (Development of strategies for inter-municipal coordination and cooperation, Design and implementation of partnership development programmes that encourage national and international municipal partnerships and twinning arrangements.) and/or
- At least 3 years of experience in Capacity Enhancement at the Ministries responsible for Local Authorities (Conducting training needs assessments of government ministries and local governments, Development of training strategies and tools for the Ministries responsible for Local Authorities, Functional and organizational review of Ministries responsible for Local Authorities, Preparation of policy papers and strategy documents on local government reform processes, Provision of technical assistance to the design and establishment of online national/regional databases and information systems for the collection of financial, administrative, operational and performance data from local governments, Design and implementation of study tours to EU countries to study local government operations and relations with central and state governments).
- Assets: (a) specific experience of more than 3 years in the fields defined above; (b) specific experience in international settings.

5 Timing and Duration

Timing and Duration will be specified in the specific terms of reference to be produced for each assignment. The average duration of an assignment is expected to vary between 10 and 100 working/days; however assignments may have shorter or longer duration depending on the nature and scope of the assignment. Services will be delivered in 2010 and/or 2011.

6 Place(s) of Work

Home-based and/or various provinces in Turkey, which will be specified in the specific terms of reference.

7 Services and Facilities to be provided by UNDP

In general, UNDP will only provide the relevant project documents and background information to the consultants. The services and facilities to be provided by UNDP will be detailed in the specific terms of reference that are going to be produced by UNDP for each individual activity/assignment.

8 Payments

The payment terms and conditions will be specified in the specific terms of reference that are going to be developed by UNDP for each individual assignment.

In general, however, the followings will apply:

- No advance payments will be made,
- Payments may be made on daily, monthly or lump sum basis.

- The consultants shall be paid in US\$ (if their country of residence is not Turkey) or in Turkish Lira (if their country of residence is Turkey).
- The amount to be paid to consultants shall be gross, and inclusive of all associated costs such as social security, pension and income tax etc.