



## TERMS OF REFERENCE

### PROCUREMENT SPECIALIST

#### 1. Introduction

The Otjiwarongo Municipality wish to explore the feasibility of implementing this project as a Public Private Partnership (PPP) in accordance with Public Private Partnership (PPP) Guidance Manual, 2013; Public Private Partnership Act, 2017 (Act No.4 of 2017) (PPP Act); and Public Private Partnership Regulations, 2017. The Municipality of Otjiwarongo requires the Consultancy Services of a Transaction Advisor to assist, advise and facilitate on behalf of the Public Entity with the procurement, management, and implementation of this Project, in the most economically beneficial approach. This Terms of Reference (TOR) is for the position of **Procurement Specialist (PS)** who shall form part of the Project Implementation Team (PIT) providing support to the Municipality on all procurement activities under the project, which includes recruitment of Transactional Advisor and Environmental and Social Impact Assessment Consultant. The PS will also provide support and opinion to the Municipality and MOF PPP Unit with expert advice and opinion review the outputs of the Transactional Advisor as well as those of the Environmental and Social Impact Assessment Consultant from Inception until signing of the Concession Agreement.

#### 2. Scope of Work

The of the Consultancy Services of PS as part of the PIT's primarily to provide support and guidance to the Municipality of Otjiwarongo performing all procurement tasks under the project. The PS will also assist in the review outputs of the Transactional Advisor as well as those of the Environmental and Social Impact Assessment Consultant. The PIT shall also play a supervisory role throughout the Project Implementation process.

Preparatory work conducted to date by the Municipality will be availed to the members of the PIT to assist them on being on par with the level at which the project is currently on. The preparatory work to be provided is as follows:

- Otjiwarongo Sewer Master Plan, 2016.
- PPP Concept Note for development of Wastewater Treatment Works, 2019.
- The Otjiwarongo Structure Plan, 2015 (Volume 1).
- Environmental Management Plan for existing Otjiwarongo Dump Site, 2019; and
- Namibia BioMass Industrial Park Concept Note, 2019.
- Terms of Reference for Consultancy Services for Environmental and Social Impact Assessment and Their Associated Plans For The Development Of A Wastewater Treatment Plant & Waste To Energy Plant Through A Public Private Partnership For The Municipality Of Otjiwarongo.
- Transaction Advisory Services for the Development of a Wastewater Treatment Plant & Waste to Energy Plant through a Public Private Partnership (PPP) for Otjiwarongo municipality.

The Project Implementation Team is to be embedded with the Municipality team and MOF PPP Unit. Outputs stipulated in the consultant's respective TORs are those that are to be reviewed alongside the rest of the PIT.

### **3. Job Purpose**

To ensure that all procurements under the project are carried out in line with the provisions of the Grant Agreements. African Development Bank (AfDB) Procurement Policy, operational rules and procedures, and Government of Namibia PPP Act, where applicable. The PS is required to deliver all agreed deliverables on time, to the required quality; are consistent with the overall Project budgets and objectives.

The PS will be part of the Project Team working on the implementation of the project's activities and will assume ongoing activities including activities yet to be initiated.

### **Key responsibilities**

- a) Develop a comprehensive list of all acquisitions of goods and services provided on the financing of the project for all components.
- b) In consultation with the Project Manager, prepare and periodically update the Procurement Plan of the project based on the AfDB's template and ensure Bank's approval of the same.
- c) In cases of procurement actions requiring the Banks clearance and 'no objection', review any procurement related documents for compliance with Grant Agreements, Appraisal Report or the Procurement Plan, whichever is appropriate, then coordinate the dispatch and delivery of the documents to the Bank for review and closely follow up with the Bank to get timely responses.
- d) Prepare Specific Procurement Notices (SPN); Requests Expression of Interests (REOI) for consultancy services, Request for Quotations/shopping for Supply of Goods, Request for Proposals (RFP),

- ensure timely publications, collection of bids/RFP/RFQ and prepare relevant paperwork for receipt of bids/proposals.
- e) Assist Transaction Advisor with the preparation of request for qualifications, request for proposals output specifications and draft PPP agreement for procurement the developer
  - f) In consultation with the Project Manager and stakeholders, prepare tenders documents, following the Namibian PPP Act guidelines and procedures (where applicable), Banks Standard Bidding Document (SBD) for the Banks review and clearance of the MOF PPP Unit
  - g) Coordinate the Evaluation Committees' meetings, provide guidance and assist in the preparation of evaluation reports following the Banks standard evaluation guidelines and ensure internal approval of procurement evaluation reports by Ministerial Tender Committee, Ministry of Justice for contracts and all decisions prior to submission of the evaluation reports to the Bank for review
  - h) Follow up procurement related correspondences and document submissions, facilitate timely analysis and responses to request for clarifications, complaints and issues raised in the procurement contract implementation with clients and the Bank for speedily actions.
  - i) Ensure safekeeping and handling of bid securities, performance securities and advance payment guarantees to ensure the validity, timely extensions and timely releases.
  - j) Provide support in preparation of the final contracts and ensure timely distribution of copies of contract agreements to relevant stakeholders including the Bank.
  - k) Ensure timely and proper arrival of goods and other deliverables, receipt of payment invoices, goods receiving reports and reconcile financial and technical proposals/offers against final invoices.
  - l) Participate in committees receiving supplies, works and services, and to ensure that these goods and services received comply with contract specifications.
  - m) Take immediate action for short landed and missing items and follow up for claim settlements and report to the Project Manager.
  - n) Maintain proper records of all procurement documentation and develop a monitoring and reporting system in line with the AfDB's progress reporting requirements.
  - o) Prepare periodic status reports (monthly, quarterly and annual) on procurement implementation under the project and keep stakeholders and the Bank informed of procurement status, as well as systematically monitor implementation of each contracts, including maintenance of contracts Register.
  - p) Support Municipality in procurement capacity building and other related activities including providing on-the-job-training, mentoring, and coaching to procurement related staff on African Development Bank procurement policies, procedures, and guidelines.
  - q) Any other duties assigned by the Project Manager

#### **4. Qualifications**

- Master's Degree or equivalent in Public/Business Administration, Law, Engineering, Procurement, Economics, or related fields.
- A minimum of 10 years of relevant professional experience in providing procurement support and advice to the preparation and implementation of programs and projects financed by Multilateral Development Banks, International organisations or any other similar institution in developing countries, having private sector experience will be an added advantage.
- A minimum of Five years' experience in the practice of procurement of goods and works and the acquisition of consultancy services under African Development Bank Procurement Policy.
- Participation in similar role in at least one (1) multi-lateral funded projects in the last 5 years
- Excellent computer skills for Microsoft Office tools (Word, Excel, project, and PowerPoint) and Internet use.
- Excellent writing, presentation, and interpersonal skills; and g. excellent analytical skills and ability to effectively communicate with key stakeholders
- Strong communication skills and good interpersonal relations
- Familiar with the relevant Government procedures and regulations on Procurement

#### **5. Implementation Arrangements**

Otjiwarongo Municipality is the Executing Agency of the AWF and MICTAF grants and will be responsible for the Financial Management (FM) functions of the project. The project will be managed within the existing structures of the Municipality. The Project Manager will report to the Strategic Executive in charge of Engineering through the Project Coordinator.

The PS will be part of a Project Implementation Team in charge of overall coordination will be based in OM and cover overall project activities. The PIT will comprise a Project Manager, Procurement Specialist, Project Accountant, Environmental and Social Expert and Independent Reviewer/PPP Expert as per AWF and MICTAF grant agreements.

The core functions of the PIT will be coordination and facilitation, fiduciary (procurement and financial management), environmental and social development including land acquisition related activities' supervision, monitoring and evaluation (M&E) and impact evaluation (IE), annual work programming and budgeting, and reporting. The PIT will provide technical support to the MOFSE and OM and will assist developing the required capacities for procurement, financial management, monitoring and

evaluation, environmental and social safeguards implementation, and investment and activity implementation.

Technical Assistance to the program will be provided by (two experienced firms for Transaction Advisory Services and preparation of the environmental Social Impact Assessment, Resettlement Action Plan and Environmental Social Management Plans.

## 6. Reporting

The PS will be a full-time member of the Project Implementation Team (PIT) and will report to the Project Manager in the Municipality of Otjiwarongo as the general supervisor.

## 7. Duration

This is a full-time position for a 30-month duration, subject to renewal based on satisfactory yearly performance and budget availability.

## 8. Duty Station

The position will be based in OM and will require frequent travel. The employee is expected to display a high degree of robustness and adaptability to their surroundings.

## 9. Deliverables

The PS is expected achieve the following key deliverables at the minimal (list not exhaustive):

<b>Duration(days)/ month</b>	<b>Key Deliverable</b>
End of 30 working days after commencement of contract	Input into Approved annual work-plan, Procurement plan, Disbursement Projection and Budgets.
Monthly, quarterly	Supervise, monitor the planning and implementation of all procurement related activities under the project and report accordingly to the PM
September 2023	Commencement of Transaction advisory services and ESIA/ESMP/RAP consultants
End of 30 working days after commencement of contract	Approved procurement plan/ Update the procurement plan

Monthly, quarterly	Procurement progress report for input in quarterly report
Monthly, quarterly	Subject to none delays by suppliers – receipt of goods ordered, acknowledged to that effect by GRNs
Due by every project year	Project Procurement and Financial Audit
Every year end	Procurement audit completed and report submitted to the Project Manager
Monthly, quarterly	Engage with Project Coordinator – OM / on the running of the project.
Quarterly	Training plans implemented for building capacity of the Municipality in procurement related activities
As per work program	Transaction Approval: Request for Qualification
As per work program	Notice of Prequalification approved by MOF PPPU
As per work program	Transaction Approval: Request for Proposal (RFP)
As per work program	Approved draft PPP Agreement
As per work program	Transaction Approval: Selection of Preferred Bidder
As per work program	Transaction Approval: Concluding the PPP Agreement
As per work program	Financial Close