

**TERMS OF REFERENCE FOR INDIVIDUAL CONSULTANTS AND CONTRACTORS**

<b>Title</b>	<b>Funding Code</b>	<b>Type of engagement</b>	<b>Duty Station:</b>
National Consultant for data generation on rural water supply and sewerage for the draft law of water supply and drainage	<b>WASH Thematic Fund</b>	<input checked="" type="checkbox"/> Consultant	Home-based
<p><b>Purpose of Activity/Assignment:</b> The consultant will provide technical support to the Department of Water Resources, Ministry of Agriculture and Rural Development for data generation and recommendation for the rural water supply agenda in the Law on Water Supply and Drainage.</p>			
<p><b>Scope of Work:</b> As part of UNICEF Vietnam’s Country Program 2022-2026, the Child Survival, Development, and Environment (CSDE) programme has a strong public health focus, with an increased emphasis on strengthening primary health care, prioritizing results at-scale in nutrition and Water, Sanitation, and Hygiene (WASH). Increased attention will be given to public financing, policy reform, expanded partnerships with the private sector, and social norm change in critical priority areas, such as addressing stunting.</p> <p>As a trusted, long-term partner of the Government in Viet Nam, UNICEF is committed to providing support for the Ministry of Agriculture and Rural Development (MARD) to strengthen policy and legal frameworks. During the 2024-2025 period, the development of a new law on Water Supply and Drainage by the Ministry of Construction (MoC) in collaboration with MARD presents a significant opportunity to enhance governance and improve rural water supply services and management. The MARD aims to contribute to a comprehensive law that specifically addresses rural domestic water supply services and management. This law will include a framework for rural water supply investment and management, prioritizing the needs of vulnerable groups and promoting gender transformation to ensure that no one is left behind.</p> <p>In fulfilling its responsibilities, the Department of Water Resources (DWR), MARD is collaborating with relevant units from the MoC to draft regulations on rural domestic water supply within the new law. To support MARD in the development of rural water supply and sanitation agenda in the law, UNICEF is looking for a consultant to support DWR for data generation on the institutional arrangement and social safeguard in rural water supply and sanitation, including drainage and recommendation of the rural water supply agenda in the upcoming Law.</p> <p>Specifically.</p> <ul style="list-style-type: none"> <li>• The consultant will support the DWR in the relevant stakeholder’s consultation processes for rural water resources management related issues.</li> <li>• The consultant will work closely with the DWR and other relevant agencies in collaboration with the technical staff, and will assist the DWR by providing institutional advice and inputs when corresponding or giving feedbacks.</li> </ul> <p><b>Purpose and Objectives</b> The consultant will be under the overall supervision of UNICEF WASH Specialist, who will manage the financial and contractual arrangements. The consultant will be responsible to arrange his/her working environment. The consultant will be working closely and liaising with DWR/MARD, for guidance on a day-to-day basis. The consultant will be required to prepare a monthly report for the DWR with copy to UNICEF during the duration of the assignment.</p> <p><b>Summary of Key Functions/Accountabilities</b></p>			

- **Research and Analysis:** Conduct a review of existing laws and regulations and law profile related to rural water supply and drainage, both locally and internationally.
- **Stakeholder Engagement:** Organize and facilitate consultations with stakeholders, including government agencies, local communities, development partners, and water supply and drainage experts.
- **Drafting the Law:** Contribute a section on rural water supply to the draft law that incorporates best practices and meets the identified needs of stakeholders.
- **Validation:** Present the section on rural water supply to the draft law to stakeholders for feedback and make necessary revisions.
- **Final Submission:** Prepare a final version of the section on water supply to the draft law along with an explanatory report detailing its provisions and expected impacts.

### **Location**

The consultant is expected to work from home, preferably in Ha Noi, have meetings virtually and/or at UNICEF and partner offices, and conduct field trips to the project provinces, including Gia Lai, and Mekong River Delta (Ca Mau, Bac Lieu, and Soc Trang).

### **Tasks**

#### **Task 1:** Contribution to the Law on Water Supply and Drainage

The content of rural domestic water supply in the Law on Water Supply and Drainage is oriented according to 3 basic policy contents of the Law including: (1) Developing a unified and effective water supply and drainage system according to strategies, planning and plans; (2) Innovating the management and operation model of the water supply and drainage system; (3) Ensuring resources for investment activities in developing water supply and drainage.

The incumbent is expected to gather data/evidence and provide recommendations for the content of rural domestic water supply policy in the Law on Water Supply and Drainage, including (i) analysing the current institutional arrangements for rural domestic water supply policy; Analysing and evaluating the existence, limitations and causes in practice and enforcement of related laws; and provide recommendations for the rural domestic water supply in the draft Law on Water Supply and Drainage (investment, management and operation of piped water supply schemes, tariff, and management and coordination).

Activities include:

1.1. Developing a detailed timebound implementation plan for the task.

Deliverable: A detailed implementation plan that outlines the activities, timeline, responsible parties, and expected outcomes for the task.

1.2. Identifying international and local best practices in rural domestic water supply. Understanding successful practices both globally and locally provides valuable insights for designing effective and context-specific solutions. This activity aims to identify innovative models and approaches that have proven effective in rural water supply management, ensuring that the new law reflects best practices in sustainability, governance, and community engagement.

Deliverable: A compilation of international and local best practices, with recommendations on how these can inform the drafting of the new law.

1.3. Reviewing the policy framework on rural domestic water supply. A thorough review of the existing policy framework is critical for identifying gaps, inconsistencies, and areas for improvement. This activity will examine current laws, regulations, and guidelines to ensure alignment with the broader goals of equitable access, sustainability, and effective water resource management in rural areas and rural WASH service delivery.

Deliverable: A comprehensive review of the rural domestic water supply policy framework, with analysis of key areas requiring reform or enhancement.

1.4. Conducting field surveys to assess the shortcomings, limitations and causes in policies on rural domestic water supply (practice and enforcement of relevant laws). Field surveys provide empirical data on the impacts of existing policies, uncovering practical challenges, enforcement issues, and gaps in

service delivery. This activity will assess how well current laws are implemented and enforced, identifying systemic problems and areas where legal provisions are insufficient or poorly applied.

Deliverable: A field survey report detailing the shortcomings, limitations, and causes in the current rural domestic water supply policies, with specific recommendations for improvement.

1.5. Developing regulations on rural domestic water supply in the draft Law on Water Supply and Drainage (corresponding to the contents 3 above). Based on the findings from policy reviews and field assessments, new regulations will be developed to address identified gaps and weaknesses in rural water supply governance. These regulations will ensure that the new law is comprehensive, enforceable, and responsive to the unique needs of rural communities, particularly in the areas of access, quality, and sustainability of water resources.

Deliverable: Draft regulations on rural domestic water supply for inclusion in the new Law on Water Supply and Drainage, corresponding to the insights gained from the policy review and field assessments.

**Task 2:** Identify gaps on social safeguard and gender transformation in rural water supply and sanitation, including drainage.

The integration of social safeguards and gender transformation into water supply, sanitation, and drainage systems is essential for ensuring equitable access to services in rural areas. In the context of Vietnam, it is crucial to identify gaps within current policies to address disparities that affect vulnerable populations, especially women and marginalized communities. A thorough review of social safeguard and gender transformation mechanisms in rural water supply and sanitation will provide critical insights for the formulation of a new Law on Water Supply and Drainage, aimed at fostering inclusive and sustainable development.

Activities include:

2.1. Developing a detailed timebound implementation plan for the task.

Deliverable: A detailed implementation plan that outlines the activities, timeline, responsible parties, and expected outcomes for the task.

2.2. Collecting quantitative and qualitative data to assess the current status of social safeguards and gender equity in rural water supply services and management, including data on participatory approach to planning, designing, and implementing rural WASH projects. The activity can include surveys, focus group discussions, and interviews in selected rural areas to understand the impacts of existing policies and infrastructure (through Activity 1.4).

Deliverable: A comprehensive situation analysis report highlighting key gaps, such as unequal access to water resources, gender-based violence risks in water collection, and lack of participation of women in decision-making processes.

2.3. Assessing the capacity of institutions responsible for water supply and sanitation to implement gender-transformative and socially inclusive policies. The consultant will conduct an organizational review of key institutions (e.g., MARD, local authorities) to assess their technical and human resource capacities to address social safeguard and gender issues.

Deliverable: Institutional capacity gap analysis report with recommendations for capacity-building initiatives, including gender-responsive training programs.

2.4. Writing of a gap analysis and recommendations report by synthesizing findings from all the Activities in Task 2. Into a final report that highlights key gaps and provide actionable recommendations.

Deliverable: A set of policy recommendations for integrating gender and social safeguard measures into the new Law on Water Supply and Drainage, including proposals for monitoring and accountability mechanisms.

2.5. Developing regulations on rural domestic water supply in social safeguard and gender transformation in rural water supply and sanitation for the draft Law on Water Supply and Drainage.

Deliverable: Draft regulations of social safeguard and gender transformation in rural water supply and sanitation for the draft Law.

**Methodology**

Task one: These activities collectively aim to ensure that the new law on water supply and drainage in Viet Nam is informed by evidence-based practices, addresses current policy shortcomings, and provides a clear, actionable framework for rural domestic water supply. Through this process, the law will support sustainable, equitable, and effective water management in rural areas, contributing to national development goals and improving the quality of life for rural communities.

Task two: These activities will ensure a comprehensive and participatory approach to identifying gaps in social safeguards and gender transformation in rural water supply and sanitation systems. The findings will be instrumental in shaping a law that promotes equality, social justice, and sustainable development in Vietnam’s water governance framework.

**Child Safeguarding**

Is this project/assignment considered as “[Elevated Risk Role](#)” from a child safeguarding perspective?

YES  NO      If YES, check all that apply:

**Direct contact role**       YES  NO

If yes, please indicate the number of hours/months of direct interpersonal contact with children or work in their immediately physical proximity, with limited supervision by a more senior member of personnel:

**Child data role**       YES  NO

If yes, please indicate the number of hours/months of manipulating or transmitting personal-identifiable information of children (name, national ID, location data, photos):

More information is available in the [Child Safeguarding SharePoint](#) and [Child Safeguarding FAQs and Updates](#)

<b>Budget Year:</b>  <i>2024-2025</i>	<b>Requesting Section/Issuing Office:</b>  <i>CSDE/VCO</i>	<b>Reasons why consultancy cannot be done by staff:</b>	
<b>Included in Annual/Rolling Workplan:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, please justify:			
<b>Consultant sourcing:</b> <input checked="" type="checkbox"/> National <input type="checkbox"/> International <input type="checkbox"/> Both  <b>Competitive Selection:</b> <input checked="" type="checkbox"/> Advertisement <input type="checkbox"/> <input type="checkbox"/> Roster  <b>Single Source Selection</b> <input type="checkbox"/> (Emergency - Director's approval)		<b>Request for:</b> <input checked="" type="checkbox"/> New SSA – Individual Contract  <input type="checkbox"/> Extension/ Amendment	
<b>If Extension, Justification for extension:</b>			
<b>Supervisor:</b> <i>WASH Specialist - CSDE</i>	<b>Start Date:</b> <i>Oct 2024</i>	<b>End Date:</b> <i>Nov 2025</i>	

Work Assignments Overview	Deliverables/Outputs	Delivery deadline	
<p><b>Task 1:</b> Contribution to the Law on Water Supply and Drainage</p> <p><b>Activities:</b></p> <p>1.1. Developing a detailed timebound implementation plan for the task.</p> <p>1.2. Identifying international and local best practices in rural domestic water supply. Understanding successful practices both globally and locally provides valuable insights for designing effective and context-specific solutions.</p> <p>1.3. Reviewing the policy framework on rural domestic water supply.</p> <p>1.4. Conducting field surveys to assess the shortcomings, limitations and causes in policies on rural domestic water supply, including understanding insights for social safeguard and gender transformation.</p> <p>1.5. Developing regulations on rural domestic water supply in the draft Law on Water Supply and Drainage.</p>	<p>1.1. Detailed implementation plan</p> <p>1.2. Compilation of international and local best practices</p> <p>1.3. Comprehensive review of the rural domestic water supply policy framework</p> <p>1.4. A field survey report</p> <p>1.5. Draft regulations on rural domestic water supply</p>	<p>Nov 1-Dec 31, 202</p> <p>Dec 2024 – Feb 2025</p> <p>Feb 2025 – June 2025</p>	
<p><b>Task 2:</b> Identify gaps on social safeguard and gender transformation in rural water supply and sanitation, including drainage.</p> <p><b>Activities:</b></p> <p>2.1. Developing a detailed timebound implementation plan for the task.</p> <p>2.2. Collecting quantitative and qualitative data to assess the current status of social safeguards and gender equity in rural water supply services and management.</p> <p>2.3. Assessing the capacity of institutions responsible for water supply and sanitation to implement gender-transformative and socially inclusive policies.</p> <p>2.4. Writing of a gap analysis and recommendations report</p> <p>2.5. Developing regulations on rural domestic water supply in social safeguard and gender transformation</p>	<p>2.1. A detailed implementation plan</p> <p>2.2. A comprehensive situation analysis report</p> <p>2.3. Institutional capacity gap analysis report</p> <p>2.4. A set of policy recommendations for integrating gender and social safeguard measures into the new Law on Water Supply and Drainage</p>		

in rural water supply and sanitation for the draft Law on Water Supply and Drainage.	2.5 Draft regulations of social safeguard and gender transformation in rural water supply and sanitation for the draft Law.		
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**Payment schedule:**

The payment for the consultancy will be in 2 instalments:

Payment 1: Upon submission of deliverables for tasks 1 (1.1, 1.2, 1.3) and task 2 (2.1, 2.2, 2.3) (30 working days) + travel costs

Payment 2: Upon submission of deliverables for the remaining task of 1 & 2: (30 working days)

**Minimum Qualifications required\*:**

Bachelors  Masters  PhD  Other

Disciplines:

Business administration, law, rural development, engineering, environmental science, or other relevant areas.

**Knowledge/Expertise/Skills required \*:**

- A minimum of 10 years of relevant experience with a Bachelor's degree or 7 years of relevant experience with a Master's degree at the national and/or international levels in business administration, law, rural development, engineering, environmental science, and/or other directly related technical fields is required.
- Good understanding of GOV's regulations and standards in rural development and the WASH sector.
- Field experience in rural water supply and sanitation programs/projects in Viet Nam.
- Good analytical skill and negotiating skills.
- Ability to manage and monitor the effective use of time.
- Fast learner, adapts and responds to change, tolerates ambiguity.
- Fluency in English and Vietnamese is required. Knowledge of another official UN language or the local language of the duty station is considered an asset.

**Evaluation Criteria (This will be used for the [Selection Report](#) (for clarification see [Guidance](#)))**

A) Technical Evaluation: maximum 75 Points

B) Financial Proposal: maximum 25 points

1.1 Educational background: 25 points

1.2 Relevant working experiences: 50 points

- A minimum of 10 years of relevant experience with a Bachelor's degree or 7 years of relevant experience with a Master's degree at the national and/or international levels in business administration, law, rural development, engineering, environmental science, and/or other directly related technical fields is required. (20 points)
- Good understanding of GOV's regulations and standards in rural development and the WASH sector. (15 points)
- Field experience in rural water supply and sanitation programs/projects in Viet Nam. (15 points)



*The maximum number of points shall be allotted to the lowest Financial Proposal that is opened /evaluated and compared among technical qualified candidates who have attained a minimum 50-point score in the technical evaluation. Other Financial Proposals will receive points in inverse proportion to the lowest price.*

*The Contract shall be awarded to candidate obtaining the highest combined technical and financial scores, subject to the satisfactory result of the verification interview if needed.*

<p><b>Administrative details:</b></p> <p>Visa assistance required: <input type="checkbox"/></p> <p><input checked="" type="checkbox"/> Home Based <input type="checkbox"/> Office Based:</p>	<p><b>If office based,</b> seating arrangement identified: <input type="checkbox"/></p> <p>IT and Communication equipment required: <input type="checkbox"/></p> <p>Internet access required: <input type="checkbox"/></p>

<sup>1</sup> Costs indicated are estimated. Final rate shall follow the “best value for money” principle, i.e., achieving the desired outcome at the lowest possible fee. Consultants will be asked to stipulate all-inclusive fees, including lump sum travel and subsistence costs, as applicable.

Payment of professional fees will be based on submission of agreed deliverables. UNICEF reserves the right to withhold payment in case the deliverables submitted are not up to the required standard or in case of delays in submitting the deliverables on the part of the consultant.

**Text to be added to all TORs:**

Individuals engaged under a consultancy or individual contract will not be considered “staff members” under the Staff Regulations and Rules of the United Nations and UNICEF’s policies and procedures and will not be entitled to benefits provided therein (such as leave entitlements and medical insurance coverage). Their conditions of service will be governed by their contract and the General Conditions of Contracts for the Services of Consultants and Individual Contractors. Consultants and individual contractors are responsible for determining their tax liabilities and for the payment of any taxes and/or duties, in accordance with local or other applicable laws.

The selected candidate is solely responsible to ensure that the visa (applicable) and health insurance required to perform the duties of the contract are valid for the entire period of the contract. Selected candidates are subject to confirmation of fully vaccinated status against SARS-CoV-2 (Covid-19) with a World Health Organization (WHO)-endorsed vaccine, which must be met prior to taking up the assignment. It does not apply to consultants who will work remotely and are not expected to work on or visit UNICEF premises, programme delivery locations or directly interact with communities UNICEF works with, nor to travel to perform functions for UNICEF for the duration of their consultancy contracts.

UNICEF offers [reasonable accommodation](#) for consultants with disabilities. This may include, for example, accessible software, travel assistance for missions or personal attendants. We encourage you to disclose your disability during your application in case you need reasonable accommodation during the selection process and afterwards in your assignment.