

Terms of Reference: Expert in Establishing Water Utilities

1. Introduction

The Palestinian Water Authority (PWA) faces significant challenges in the establishment and management of water utilities to ensure compliance with the provisions of the Water Law No. (14) of 2014. In the past and present, practices relied on the creation of Joint Service Councils (JSCs) specialized in water and wastewater, such as the JSC of West Jenin, Tubas, Aqraba, Northwest Jerusalem, and Reef Dura. In other cases, JSCs for planning & development were established, where water and wastewater services are included as part of broader services, such as the JSC of West Bethlehem and the JSC of East Bethlehem rural areas. These structures are established under LGU's Law No. (01) of 1997, supervised by the Ministry of Local Government.

Given the complex and dynamic political, economic, and social conditions in Palestine in recent years—caused by occupation practices, restrictions on movement between Palestinian communities, control over water resources, and deteriorating water and wastewater services—there is a growing need to reassess priorities in establishing water utilities in line with the Water Law. This reassessment should ensure sustainability and quality of services while taking into account the willingness and motivation of local authorities to merge into new utilities or join existing ones.

2. Background and Rationale

In 2018, the PWA, through funding from the European Union and implementation by a international consulting firm, developed a study "Roadmap for the Establishment of regional Water Utilities. The study provided recommendations and priorities for creating utilities. However, these recommendations were not implemented due to changing circumstances and constraints in the Palestinian territories.

In recent years, local authorities have continued submitting requests to establish new water utilities or to join existing ones, aiming to improve the quality of water and wastewater services and to obtain additional incentives, such as financing for water and wastewater projects or capacity building. These requests also reflect the desire to benefit from available donor funding for the water sector, which is considered one of the highest priorities for both the Palestinian Government and the donor community.

Accordingly, there is a need to engage an expert specialized in local governance systems and

the realities of Palestinian municipalities with in-depth knowledge of their water sector needs. The expert will review the Roadmap Study, re-evaluate its assumptions and criteria to ensure their realism and applicability, and assess the newly submitted requests. The expert will then propose practical and realistic criteria and priorities for establishing sustainable and viable utilities. Additionally, the expert will contribute to raising awareness among local councils on the importance of establishing such utilities.

3. Objectives

Overall Objective:

To provide practical recommendations to the Head of the PWA that include a short list of priority utilities to be established, based on clear and agreed-upon criteria with PWA specialists and sector stakeholders, ensuring sustainability and improved service delivery.

Specific Objectives:

1. Review and evaluate the criteria and standards for establishing water utilities in the 2018 Roadmap Study.
2. Develop updated criteria and standards for establishing new utilities or merging/joining local authorities into existing ones.
3. Assess local authorities' requests to establish or join utilities based on the updated criteria.
 - Prepare a shortlist of recommended utilities according to priority.
4. Communicate with qualified local authorities to encourage them to establish new utilities in line with the proposed criteria.
5. Raise awareness among local authorities on the benefits of utilities in improving and sustaining services.

4. Scope of Work / Tasks

The expert will carry out the following tasks:

1. Review the 2018 Roadmap Study, identifying gaps and constraints that prevented its implementation >
2. Collect and analyze requests submitted by local authorities regarding the establishment or joining of utilities.
3. Develop technical, institutional, financial, and geographic criteria to prioritize potential utilities.
4. Prepare a comparative analysis of different models (new utilities, mergers, joining) and identify the most sustainable scenarios.
5. Conduct meetings and with target local authorities to promote acceptance of utility formation.
6. Organize awareness-raising activities (meetings, workshops, orientation sessions) on the importance of utilities for service improvement and sustainability.

7. Submit progress reports to the nominated contact person by Head of the PWA with preliminary findings and recommendations.

5. Deliverables

1. An assessment report of the 2018 Study "Road Map for establishing Regional Water Utilities criteria and recommendations for updating them.
2. Tables and fact sheets summarizing and analyzing local authorities' requests.
3. A document with proposed updated criteria and standards for establishing or joining utilities.
4. A shortlist of priority utilities recommended for implementation in the coming years.
5. A report on awareness-raising activities and meetings with local authorities, including feedback and responsiveness.
 - A final report consolidating methodology, analysis, criteria, and recommended priorities.

6. Qualifications and Experience Required

1. A degree in Civil engineering, architecture, urban planning, public administration, law, or other relevant field, with at least 15 years of professional experience.
2. Strong familiarity with the institutional and regulatory context of local governance systems, Local Authorities Law, Water Law, and regulations governing the establishment of water utilities and JSCs.
3. Extensive knowledge of local authorities' realities, needs, and capacities (technical, financial, and institutional).
4. Proven experience working with multidisciplinary teams.
5. Strong reporting and analytical skills.

7. Duration and Working Arrangements

- Duration: 6 months.
- Level of effort: 75 working days, equivalent to 3 working days per week.
- Location: Palestinian Water Authority Headquarters – Minister's Advisors Office, 7th floor.

8. Evaluation Criteria

A. Evaluation of the CV (80%)

B. Evaluation of the technical proposal (20%)

Detailed Criteria

A. Curriculum Vitae (CV)		80 points
Relevant Professional Experience	The candidate's direct experience in establishing or restructuring water utilities or Joint Service Councils (JSCs), working with local governance systems, public institutions, and water sector institutions. Experience in developing institutional and financial frameworks for utilities is also considered.	30
Technical Knowledge and Skills	Includes in-depth knowledge of legal and regulatory frameworks related to water utilities (Water Law, Local Authorities Law, JSC regulations), governance models, service delivery mechanisms, and financial sustainability. Familiarity with the Palestinian context and donor-funded water sector reforms is preferred.	25
Capacity Building and Teamwork	Experience in conducting workshops, training sessions, or awareness-raising activities for municipalities, local councils, or utilities. Ability to foster consensus-building and facilitate dialogue among diverse stakeholders.	15
Reporting and Analytical Skills	Ability to produce institutional or policy reports, guidelines, or strategic documents. Capability to conduct comparative analyses of different institutional models and provide clear, actionable recommendations.	10
B. Technical Proposal (Concept Note)		20 points
Understanding of the Assignment	Clarity in analyzing challenges such as fragmented utilities, unimplemented roadmap recommendations, and realities of Palestinian municipalities. Demonstrated understanding of the importance of institutional, financial, and governance criteria for sustainable utilities.	10
Methodological Approach	Practicality and soundness of the proposed approach for reviewing the 2018 Roadmap, updating criteria, and prioritizing utilities. Incorporation of participatory approaches and consideration of the political, institutional, and legal context to ensure feasibility and sustainability.	10
Total		100

9. Payment Schedule

Payment No	Outputs Delivered and acceptable to PWA
First payment: 20 % of the contract price	Upon submission and approval of the assessment report of the 2018 Study “Road Map for establishing Regional Water Utilities” including the fact sheet and criteria and recommendations for updating them.
Second payment: 30% of the contract price	Upon submission and approval of the proposed updated criteria and shortlist of priority utilities recommended for implementation in the coming years.
Third payment: 50% of the contract price	Upon submission and approval of the final consolidated report covering methodology, analysis, criteria, and recommended priorities.