



BELIZE MARINE CONSERVATION AND CLIMATE ADAPTATION PROJECT (MCCAP)

Ministry of Forestry, Fisheries and Sustainable Development

Request for Expression of Interest for Consultancy Services (Firm Selection)

Consultancy to Conduct a Review and Revision of the Belize Coastal Zone Management Act and Regulations

Grant No: P131408

The Government of Belize with the assistance of the World Bank (WB) is implementing the project entitled “Marine Conservation and Climate Adaptation Project (MCCAP)” with Grant funding from the Adaptation Fund (AF) and has appointed the Ministry of Forestry, Fisheries and Sustainable Development (MFFSD) for the overall implementation of the Project with the fiduciary support provided by the Protected Areas Conservation Trust (PACT). The Government of Belize intends to apply part of the proceeds of the grant to payments under the contract for this Consultancy.

The detailed terms of reference for the consultancy can be viewed at www.pactbelize.org, www.belize.gov.bz, www.coastalzonebelize.org or can be request from andrea@pactbelize.org.

MCCAP and PACT now invites eligible consulting Firms to indicate their interest in providing the Services. In submitting its Expression of Interest, Firms should provide information demonstrating that it have the required and relevant experience to perform the Services. The shortlisting criteria are:

1. Proven experience and knowledge of the environmental management context and environmental legislation in Belize and/or regionally/internationally.
2. Proven experience in conducting organizational/institutional and/ or financial assessments.
3. Knowledge of the coastal zone sector and related issues of resources use and conflict in Belize.
4. Experience in drafting legislation and legal analysis and assessment preferably in the areas of environmental management, natural resource management or sustainable development.

The attention of interested Firms is drawn to paragraph 1.9 of the World Bank’s *Guidelines: Selection and Employment of Consultants [under IBRD Loans and IDA Credits & Grants] by World Bank Borrowers January 2011, revised July 2014* (“Consultant Guidelines”), setting forth the World Bank’s policy on conflict of interest.

Consultants may associate with other firms in the form of a joint venture or a sub-consultancy to enhance their qualifications. The “association” may take the form of a Joint Venture or a sub-consultancy. In case of a Joint Venture (“JV”), all members of the JV will be evaluated jointly for the purpose of shortlisting and shall be jointly and severally liable for the assignment and shall sign the contract in case the award is made to that JV group. Interested consultants/firms should clearly indicate the structure of their “association” and the duties of the partners and sub-consultants in their application. Unclear expression of interests, such as “in association with” and/or “in affiliation with”

and etc., may not be considered for short listing. Keeping one expression of interest (“EOI”) per firm as principle, a consultant firm may decide whether it wishes to participate as a sub-consultant, or as an individual consultant, or as a partner in a joint venture. Please note that a firm shall submit only one EOI in the same selection process either individually as a consultant or as a partner in a joint venture. No firm can be a sub-consultant while submitting an EOI individually or as a partner of a joint venture in the same selection process. A firm, if acting in the capacity of sub-consultant in any consultant or JV, may participate in more than one consultant, but only in the capacity of a sub-consultant.

The Firm will be selected in accordance with the Selection Based on Consultants’ Qualification method set out in the World Bank Consultant Guidelines.

One original and three (3) hard copies of the Expression of Interest submission in the English language must be delivered by 3:00 pm on Friday 20th November, 2015 to:

Procurement Officer
Protected Areas Conservation Trust
3 Mango Street
Belmopan
Tel: 822-3637

The sealed envelope containing the Expression of Interest must include the name and address of the applicant and should be clearly marked:

“CONSULTANCY TO CONDUCT A REVIEW AND REVISION OF THE BELIZE COASTAL ZONE MANAGEMENT ACT AND REGULATIONS”

MCCAP shall not be bound to defray any costs incurred by applicants in preparing and submitting statements of capability.



BELIZE MARINE CONSERVATION AND CLIMATE ADAPTATION PROJECT (MCCAP)

Ministry of Forestry, Fisheries and Sustainable Development

TERM OF REFERENCE

Consultancy to conduct a review and revision of the Belize Coastal Zone Management (CZM) Act and Regulations

1. INTRODUCTION

The Coastal Zone Management (CZM) Act was adopted in 1998 to establish the Coastal Zone Management Authority and the Coastal Zone Management Institute (CZMAI) to aid the smooth implementation of an Integrated Coastal Zone Management (ICZM) Strategy. Despite the passage of amendments in 2014 to address specific issues, the CZM Act is still considered outdated and is in urgent need of a comprehensive revision. This revision is key to ensuring that the legal and institutional framework for implementation of the ICZM Plan is strengthened.

Furthermore, it has been over ten years since the CZM Authority and Institute have been established to foster the sustainable use and development of resources within Belize's coastal zone. Therefore, it has become necessary for an institutional assessment to be conducted to ensure that the efficiency, effectiveness, and sustainability of the institution are enhanced.

2. OBJECTIVES

The overall objective of the consultancy is to conduct a review of the CZM Act to strengthen the legal, policy and institutional framework within which the ICZM Plan will be implemented as well as to address key gaps, challenges and opportunities for improvements to the process for integrated management of the coastal zone.

3. TASKS, ACTIVITIES, AND OUTPUTS

1) Tasks

- i. Organize a meeting with PIAG staff, CZMAI and PACT to: (1) Discuss the scope of the Terms of Reference and deliverables to be produced; and (2) Discuss and finalize work-plan and proposed consultation schedule.

- ii. Conduct meetings with the Drafting Section of the Office of the Solicitor General to discuss the Terms of Reference and to get their input on specific requirements for drafting and to get input on final deliverables.
- iii. Conduct consultations and focus group meetings with relevant stakeholders to discuss the Terms of Reference and to get their views, ideas and recommendations for improvements to the CZM Act and regulations.
- iv. Prepare inception report, including detailed implementation plan and time-frame.
- v. Conduct validation workshop with stakeholders on draft findings in the institutional assessment and draft amendments to the CZM Act and Regulations.
- vi. Prepare final report and deliverables of the consultancy.
- vii. Conduct a presentation to the Board of the CZM Authority on the final deliverables of the consultancy.

2) Specific Activities

In order to achieve the objective of the consultancy, the following specific activities, *inter alia*, shall be undertaken:

- i. Review all relevant national legislation and policies that would impact the revision of the CZM Act.
- ii. Conduct a comparison of the CZM Act with similar legislation from other countries with the aim of improving the framework for integrated coastal zone management.
- iii. Conduct a comprehensive assessment of the existing legal and institutional structure, and financial resources and human capacity of the Coastal Zone Management Authority and Institute, with the aim of identifying factors that contribute and inhibit the CZMAI from fulfilling its mandate. The assessment shall identify gaps and recommend the most effective institutional structure to improve functionality and efficiency, within the context of the planned legal review of the CZM Act that gives CZMAI its mandate. The assessment shall include, but not be limited to, the following:
 - An assessment of the institutional and organizational structure, and administration of the CZM Authority and Institute. This shall include an evaluation of the roles, functions, composition, operating procedures, effectiveness etc., of the CZMA Board of Directors, CZMI Advisory Council and CZMAI Staff;
 - An assessment of the effectiveness of existing programmes, such as Coastal Planning, Data Management, Sport fishing, Manatee Conservation, Education and Outreach, and the identification of gaps in implementing these programmes;
 - Analyze the existing financial gaps preventing the CZMAI from fully delivering its mandate, and identify sustainable financial mechanisms to maintain and expand core national activities for improved ICZM in Belize;
 - Identification of human resources and training needs for improved capacity for integrated coastal zone management; and

- An assessment of process for the development, implementation and updating of the Integrated Coastal Zone Management Plan.
- iv. Identify and propose necessary adjustments to the organizational structure of CZMAI in order to improve its efficiency and effectiveness, through the development of additional core programmes and the strengthening of policy coordination by the CZM Authority.
 - v. Identify areas of weakness in the CZM Act and corresponding regulations and make recommendations for addressing these areas as recommendations to address the findings of the assessment in 3.1.2 above.
 - vi. Identify areas of overlaps, conflicts, and gaps in relevant legislation including, but not limited to, the Fisheries Act, Environmental Protection Act, Land Utilization Act, Mines and Minerals Act and provide corresponding recommendations to resolve these.
 - vii. Present these recommendations to a forum of the relevant agencies for discussion and feedback.
 - viii. Review the status of regional and international conventions and agreements and ensure that requirements of these conventions are reflected in national legislation.

Following consultation with relevant experts and agencies, prepare draft amendment to the CZM Act and corresponding regulations and development of new regulations as necessary, as well as amendments to other legislation (based on 3.2.6 above).

2. OUTPUTS

The following deliverables will be submitted by the Consultant to the Project Coordinator:

- i. Inception report (methodology, work plan, implementation schedule, outcome of initial consultation meetings);
- ii. Draft Report on Institutional (including financial and human resources) Assessment of CZMAI and gaps in legislation including, but not limited to, the specific activities outlined in 3.2 such as:
 - Evaluation of effectiveness of CZMAI;
 - Gaps in current programmes;
 - Comparative analysis of other regional and international processes for integrated coastal zone management;
 - Assessment of roles, functions, operating procedures, effectiveness etc., of CZMA Board and CZMI Advisory Council;
 - Analysis of the existing financial gaps preventing the CZMAI from fully delivering its mandate, and identification of sustainable financial mechanisms to maintain and expand core national activities for improved ICZM in Belize;
 - Recommendations for adjustments to the organizational structure, human resources, and other requirements); and
 - Recommendations for amendments to other legislation.

- iii. Draft Amendment to CZM Act, corresponding regulations and other relevant legislation;
- iv. Final Report on Institutional (including financial and human resources) Assessment of CZMAI and gaps in legislation (incorporating comments from consultations, validation session, Technical Advisory Committee and Project Steering Committee); and
- v. Final Amendment to CZM Act, Regulations and other legislation (incorporating comments from consultations, validation session, Technical Advisory Committee and Project Steering Committee).
- vi. Final Report on the outcome of Focus Group Meetings, Validation Workshops and other relevant Consultation Sessions with stakeholders during the consultancy period.

4. DELIVERABLES

The deliverables for the Consultancy shall be in the form of reports (draft and final) and draft legislative amendments in the format required by the Office of the Solicitor General of Belize. All timeframes/schedules for delivery shall be outlined in an approved Inception Report with specified due dates agreed upon between the Consultant, the PIAG and CZMA. The minimum list of Expected Deliverables/Outputs is listed in tabular form below:

Timing of Deliverables

Deliverables	Timeline (Calendar Weeks)
Inception Report	No later than 3 weeks after signing of contract
Draft Institutional Assessment Report	No later than 8 weeks after signing of contract
Draft Amendments to CZM Act and Regulations	No later than 12 weeks after signing of contract
Final Consultancy Reports for (i) Institutional Assessment (ii) Final Amendments to CZM Act and Regulations and (iii) Stakeholder Consultation Meetings	No later than 16 weeks after signing of contract

5. QUALIFICATIONS AND EXPERIENCE

Minimum Academic Qualifications, Professional Experience & Skills

The Consulting Firm must possess the following expertise:

Lead Consultant/ICZM Expert: Must possess at minimum a Master’s Degree in a discipline related to the Consultancy (Coastal and marine resource management, integrated coastal zone management, environmental management or natural resource management), with at least 10 years of experience. The Consultant must have proven experience in delivering quality outputs on time and proven experience in leading multidisciplinary teams. The Consultant will be responsible for leading the team, coordinating the preparation of outputs, taking full responsibility for the overall technical quality of the final products, and engaging directly with the MCCAP Project Coordinator. The lead consultant should have extensive knowledge of and experience with the environmental management context and environmental legislation in Belize and/or regionally/internationally. The

consultant must demonstrate high professional standing and the capacity to dialogue effectively with government agencies, the private sector and civil society.

Institutional/Financial Expert: Must possess at least a Bachelor's Degree in Public Administration and Management or Institutional Development studies, Economics/Finance, Political science or any other relevant field. Must have at least five (5) years of demonstrated experience in conducting organizational/institutional and/or financial assessments. Knowledge of the coastal zone sector and related issues of resource use and conflict in Belize. Experience with participatory methodologies and proven experience collecting and analyzing both quantitative and developing materials that can be used for explaining the purpose and scope of this activity in general terms, and specifically at consultation events.

Legal Expert: Must possess At least a Bachelor's Degree in Law or a field of law related to environmental and/or natural resource governance. Must have at least ten (10) years professional experience in drafting legislation and legal analysis and assessment preferably in the areas of environmental management, natural resource management or sustainable development. At least five (5) years specific experience in drafting and/or working within the national legislative system in Belize is a must.

Local/International partnerships are encouraged.

6. TARGET

This Consultancy will primarily target Government policy makers, NGO's, eco-tourism operators, coastal communities, and private sector.

7. PROJECT MANAGEMENT

Belize, under the leadership of the Ministry of Forestry, Fisheries and Sustainable Development (MFFSD) with fiduciary management assistance from the Protected Areas Conservation Trust (PACT) as the National Implementing Entity (NIE) and the World Bank as Multilateral Implementing Entity (MIE), is responsible for the implementation of the Marine Conservation and Climate Change Adaptation Project (MCCAP) in the coastal areas of Belize. The Project Implementing Agency Group (PIAG) housed within the Fisheries Department and staffed by full-time and part-time consultants is responsible for the coordinating MCCAP implementation. The PIAG consists of a Project Coordinator (PC), a Senior Technical Officer (STO), staff from Fisheries Department, and fiduciary staff of PACT. The PC will be directly supervised by the Fisheries Administrator.

MCCAP is a five year project designed to implement a priority ecosystem-based marine conservation and climate adaptation measures to strengthen the climate resilience of the Belize Barrier Reef System and its productive marine resources. Specifically, the project will support:

- i. improvement of the reef's protection regime including an expansion and enforcement of the Marine Protected Areas (MPAs) and Replenishment (no-take) Zones in strategically selected locations to strengthen climate resilience,
- ii. promotion of sustainable alternative livelihoods for affected users of the reef, and
- iii. building local capacity and raising awareness regarding the overall health of the reef ecosystem and the climate resilience of coral reefs.

Component 1 of the project is aimed at supporting the conservation of marine and coastal ecosystems in Belize by strengthening the legal framework for management of marine protected areas and coastal zones through support for, *inter alia*: (i) the review and reform of the Belize's legal and institutional framework for protected areas; (ii) the review of mangrove regulations; (iii) the review and reform of the CZM Act; and (iv) the implementation of an ICZM plan.

This consultancy is focused on **activity 1.4.3. Review and reform of the Coastal Zone Management (CZM) Act and corresponding regulations.**

Management structure

- The Consultant will report to the MCCAP Project Coordinator and CZMAI, located at the Fisheries Complex, Belize City.
- The MCCAP Project Coordinator and CZMAI will provide regular technical assistance to the Consultant and will also serve as the liaison between the Consultant and the CZMAI.

8. DURATION OF THE CONSULTANCY

The expected start date of the Consultancy is January 4, 2016. The total duration of the Consultancy should not exceed 90 person days over a four month period.

9. PAYMENT SCHEDULE

Payments will be made on the basis of the review and acceptance of deliverables as stipulated below:

Deliverables	%Proposed
Inception Report	15
Draft Institutional Assessment Report	35
Draft Amendments to CZM Act and Regulations	20
Final Consultancy Reports for (i) Institutional Assessment (ii) Final Amendments to CZM Act and Regulations and (iii) Stakeholder Consultation Meetings	30

10. REPORTING

Reporting Structure

The Consultant will report to the MCCAP Project Coordinator and CZMA both located in Belize City.

A. The Institutional Assessment Report format should include, but not be limited, to:

- Cover Page
- Table of Contents
- Abbreviations/Acronyms
- Executive Summary
- Chapter I-Introduction
 1. Overview of the Project
 2. Rationale for the Assessment

3. Objectives of the Assessment
Chapter II-Methodology
Chapter III-Results
Chapter IV-Conclusions and Recommendations
Bibliography/References
Appendices (TOR, List of Focus Group Meeting Participants; Workshop Documents; Outputs of Validation Sessions, Presentation to CZMA Board of Directors, Proposed Adjustments to Institutional Structure of CZMA, etc.)

B. The CZM Act and Regulations should be prepared in the format required by the Office of the Solicitor General.

Submission and Approval of Reports

All draft and final reports and deliverables shall be written in English. The reports shall be submitted in the following manner: three (3) bound copies and two digital copies on CDs (Microsoft Word and printable version) and must be submitted to the MCCAP Project Coordinator. The PIAG is responsible for approving the final versions of the reports and deliverables in consultation with the CZMA Board,, Technical Advisory Committee and Project Steering Committee.

11. MONITORING AND EVALUATION

The results to be achieved by the Consultant are specified in Section 3 above. Progress towards achieving these results will be measured by the main Monitoring and Evaluation indicators:

- i) Timeliness of the submission of deliverables and other services provided;
- ii) Technical outputs prepared, finalized and approved by CZMA and PIAG;
- iii) Focus Group Meetings, Consultation and Validation Sessions completed with all relevant stakeholders;
- iv) Meeting objectives and activities outlined in the ToR.