# **Terms of Reference**

# **for the position of International Expert in Public procurement (Long Term)**

# Project background and description

Lebanon has been facing compounded challenges with its largest peace-time socio-economic and financial crisis, aggravated over time and intensified by the impact of the COVID-19 pandemic on key sectors of the economy, the consequences of the explosion of the Port of Beirut in 2020 and the war in Ukraine in 2022. Owing to the lack of political consensus for pursuing and implementing effective reforms to enhance governance and accountability of public services and to generate State revenues and reduce expenditures, the multi-dimensional crisis continues to persist, although the 2022 parliamentary elections showed growing support for candidates representing civil society and demanding reform.

Public administrations in Lebanon are marked by low quality and accessibility of public services, suffering from weak decision-making processes, absence of clear vision, lack of transparency and accountability leading to increased corruption and weakening the public service delivery. The sectarian regime, nepotism and confessional power sharing running across all government ministries and institutions creates inefficiencies in the public administrations, room for corruption and misuse of public funds. This results in citizens and businesses wasting time and resources undermining the image of public services, distracting officials from achieving good results and advancing on public administrative reform. With the crisis, salaries of civil servants have plummeted resulting in an increasing number of highly qualified Lebanese migrating in search of better opportunities.

Following the explosion of the Port of Beirut in 2020, the European Union launched, jointly with the United Nations and the World Bank, the “Reform, Recovery and Reconstruction Framework (3RF)”. The 3RF addresses the impact of the explosion on affected communities and businesses in Beirut; in addition, it focuses on critical reforms, including enhancing transparency, accountability and integrity of the public administration. These reforms are notably to be achieved through the implementation of the National Anti-Corruption Strategy 2020-2025 (NACS), of which the recent nomination of the members of the National Anti-corruption Commission is crucial to the monitoring of the implementation of reform.

In addition, in 2021, a new Public Procurement Law was passed in Parliament, based on international standards and following a MAPS assessment. This Law establishes a new, independent Public Procurement Authority, which was preceded by a Tender Board that had been part of the Central Inspection.

The new Public Procurement Law (PPL) was ratified by Parliament in June 2021 and entered into effect in July 2022. The National Public Procurement Reform Strategy (NPPRS) and Action Plan were launched in January 2022 by the Prime Minister in the presence of WB, EU, AFD, UN, UNDP, government stakeholders, private sector and CSO representatives, calling for coordination and further financing for implementation of the strategy. The NPPRS and its action plan (2022-2024) was approved by the Council of Ministers on May 20, 2022. The reform strategy has set four strategic objectives to guide and advance procurement reform in Lebanon:

1. Bring the regulatory and policy framework in line with good international practices.
2. Create an institutional framework for successful procurement management and build corresponding capacity.
3. Economy and efficiency in procurement operations and practices.
4. Promote accountability, integrity and transparency in public procurement.

The new Public Procurement Authority requires a lot of aid, especially as it is the first of its kind to be established in Lebanon.

Accordingly, a new EU Program Action started end of November 2023, with a duration of 4 years, that aims to support progress in key areas of public administration reform in Lebanon through enhancing the integrity, transparency and accountability of its public administration aligned with the principles of a modern public administration. It consists of three outcomes:

1. Safeguarding integrity of the public administration, mainly in the area of public human resources management (i.e. civil service reform);

**2. Enhancing transparency in public administration systems, mainly in the area of public procurement at central and local level (i.e. public financial management reform) and access to public information (i.e. accountability);**

3. Strengthening accountability of the administration by reinforcing the role of the main oversight bodies (i.e., Central Inspection Board, Court of Audits and National Anti-corruption Commission) in implementing reform, fighting and preventing corruption.

The component 2 is complementary with a previous AFD-funded project, implemented by EF, which aimed to support public procurement reform in Lebanon. It had a duration of29months (ending date April 2024) and supported the Lebanese authorities in structuring and monitoring the reform, implementing the legal and regulatory framework at the operational level, building the capacities of institutions and public procurement agents, and improving the transparency and integrity of the system.

As the French public agency and the interministerial actor in international technical cooperation, subsidiary of the Agence française de développement Group (AFD Group), Expertise France has been implementing the program (indirect management), in strong connection with the Public Procurement Authority.

Objectives and expected results of the mission

In order to successfully implement the project, Expertise France will rely on a key expert specialized in public procurement.

The Overall Objective (Impact) of this action is to support progress in key areas of public administration reform in Lebanon through enhancing the integrity, transparency and accountability of its public administration aligned with the principles of a modern public administration.

The Specific Objective (Outcome) of this action is to enhance the transparency in public administration systems, mainly in the area of public procurement at central and local level and access to public information.

The Outputs to be delivered by this action, contributing to the corresponding Specific Objectives (Outcomes) are:

2.1. Centralized and decentralized public procurement systems more transparent by setting up the e-procurement platform;

2.2 Skills of procurement officers and stakeholders enhanced and public procurement function created;

2.3 The public procurement system is regulated by an independent authority committed to the principles of transparency, fair treatment of all bidders and equal opportunities to participate;

2.4 The role of civil society organizations in supervising and monitoring public procurement enhanced.

# Description of the Key Expert's mission

Under the supervision and guidance of the line manager (Team leader), and in coordination with the component manager, he/she will be in charge of providing the overall technical assistance of the public procurement component, including direct technical assistance to the Public Procurement Authority (PPA) and coordination of short-term expertise missions with the beneficiaries:

* Contribute to the improvement of the PPA’s institutional and organizational structure in its core and secondary functions; including annual work programme and annual reports;
* Develop and deliver capacity building sessions on public procurement;
* Provide strategic advice and contributions to the development of national policies and strategies on sustainable public procurement, internal and forensic audit, national training, sectoral policies, PPA code of conduct; and communication materials;
* Contribute to the draft and development of standard bidding documents, forms and tools; and support their dissemination among procuring entities;
* Support for the development and the effective implementation of the annual training policy and liaise with the Basil Fuleihan Institute of Finance (IoF) on the annual mandatory training for procuring officers and members of tenders and acceptance committees;
* Contribute to accompany the oversight bodies in implementing the new public procurement law;
* Contribute to the development of cooperation with private and public universities;
* Support for the implementation of the data monitoring system;
* Contribute to strengthen the dialogue framework with Civil Society Organisations, with EF Beirut Team;
* Provide regular updates to the project team as well as Expertise France’s headquarters (on quarterly and yearly basis) on technical progress and strategic planning of activities;
* Participation in steering committees and technical and operational committees;
* Contribution to the drafting of half-yearly and annual reports in conjunction with the EF Team Leader and component coordinator;
* Animation of meetings with the Lebanese administrations;
* Drafting of terms of reference for the mobilization of short-term experts in connection with the beneficiaries;
* Coordination of the work of short-term experts; centralization of reports;
* Quality monitoring of the services of short-term experts by ensuring overall consistency of the various missions.

# Deliverables

The key expert is responsible for ensuring the delivery of the outputs. In addition, the key expert holds responsibility for the production of the final outputs with which he/she is directly assigned.

In addition, the expert shall submit:

1. Concept notes for each of the outputs, clearly indicating the type of support, yearly timeframes, content of the deliverable(s) and expert inputs (as and if appropriate);
2. Terms of reference for the mobilization of short-term experts;
3. Inputs for the Progress Reports and the Final Report and any other report or deliverable deemed necessary by the Financing Authority;
4. Ad-hoc meetings documentation and reports subject to adjustment at the end of the project inception phase.

All deliverables shall be submitted using the templates provided by Expertise France.

Applied Methodology

On the technical level

The expert will base his/her work on the conclusions and recommendations of the inception phase report.

In terms of transfer of skills

The Key Expert will provide support/advice to the Lebanese authorities and specifically the PPA in a logic of skills transfer based on learning by doing. We encourage a mentoring relationship to be created between the Expert and a civil servant from the PPA in order to create a pair. The objective of the creation of the pair is to help a beneficiary to gain in competence, so that he/she can become more autonomous and then pass on his/her knowledge to other members of his/her team.

Duration and location of the mission

The mission is planned for a duration of 22 months spread over the period from February 2026 to December 2027.

The expert will work with the Public Procurement Authority (PPA) and he/she will be positioned within the Expertise France office and Public Procurement Authority (PPA) offices in Beirut.

# Required profile

Qualifications and skills:

* University degree (MA or equivalent) in law, political science, economics, public administration or another discipline related to the project objectives;
* Excellent qualities/abilities :
  + communication skills
  + teamwork and interpersonal skills
  + knowledge transmission
  + synthesis and writing skills
  + analysis and problem solving
  + decision making and initiative
  + diplomatic skills
* Fluent in spoken and written French and English; Arabic would be a plus.

General professional experience:

* A minimum of 10 years of experience in a public procurement authority or equivalent;
* Excellent knowledge of public administration mainly in the area of public procurement (i.e. public procurement reform);
* Excellent knowledge of the Lebanese public procurement legal and institutional framework
* Knowledge of the EU cooperation mechanisms.

Specific professional experience:

* Participation in the work on the reform of French public procurement would be a plus;
* Previous professional experience in international cooperation, in the MENA region and especially in Lebanon;
* Preferably knowledge of the public administration of Lebanon.

# Working language(s)

The working language of the project is English, French and Arabic.