

Terms of Reference

ASSESSMENT STUDY ON DZONKHAG TSHOGDU(DT) AND GEWOG TSHOGDE(GT) FUNCTIONING



18th January 2019

Helvetas Swiss Intercooperation and Department of Local Governance, Ministry of Home and Cultural Affairs of the Royal Government of Bhutan

1. Introduction/Background

In the history of decentralization in Bhutan, important milestones came together with the establishment of institutions that took on decentralized functions. In 1953, the establishment of the Gyalong Tshogdu was initiated by the Third Druk Gyalpo, and the nature of this Assembly gradually changed from a consultative body to one whose decision was binding. Since then, and under the leadership of the Fourth Druk Gyalpo, various political and administrative reforms were started to decentralize authority and responsibilities to different levels of the state. For local democracy specifically, the establishment of local government institutions at the Dzongkhag and Gewog level was significant. Dzongkhag Yargay Tshogdus and Gewog Yargay Tshogchung were set up in 1981 and 1991 respectively. These local government institutions in the beginning played a supportive role to the Dzongkhag (district) and Gewog (county) administration. It was with the enactment of the Local Government Act, 2007 and 2009 that these institutions – now called the Dzongkhag Tshogdu (DT) and Gewog Tshogde (GT) - were clearly recognised as the highest decision making bodies in the Dzongkhag and Gewog. In parallel, under a separate Municipal Act, city municipal councils were set up in two of the largest urban centers in the country and later the number of such municipality councils grew to four. Preparations are now underway to create Dzongkhag Thromde Tshogdes (TT) and Yenlag Thromdes in all 20 dzongkhags. Today, the separate frameworks governing DTs, GTs and Thromdes have been brought together as can be seen in the Local Government Act. All these processes have led to Local Governments having strengthened administrative capacity and decision making authority as well as exercising responsibilities over increasing financial allocations. All of these developments as well as the establishment of new national institutions and the drafting of the Constitution were a build up to the transition Bhutan made in 2008 to a Democratic Constitutional Monarchy. The Constitution states that ‘Power and authority shall be decentralised and devolved to elected Local Governments to facilitate the direct participation of the people in the development and management of their own social, economic and environmental well-being’ (Article 22).

These processes are not without challenges. Differences in understanding and implementation of decentralized roles, evolution in roles and responsibilities of local government functionaries not matched by competencies, coordination, and limited community participation beyond planning are some of the challenges that keeps surface at various level.

Under the Decentralization and Local Governance Project (DLGP) initiated in 12th FYP (2018-2022) by Department of Local Government, Ministry of Home and Culture Affairs with support from Helvetas Swiss Intercooperation, various initiatives were considered to strengthen local government reforms. Based on Project Logic Framework, one of the major outcomes under the project is; ‘Intergovernmental coordination at the Dzongkhag level is effective and supports the implementation of local governance reforms in key priority areas. And, one of the specific output under the project is: ‘DT Functioning strengthen in 4 Dzongkhags for upscaling in other Dzongkhags’.

2. Purpose

The Department of Local Governance (DLG), MoHCA under the DLGP is in beginning stage of implementing project activities to strengthen Local Government Reforms.

The main purpose of assessment study is to understand the current DT and GT functioning system and provide baseline data and information, and inputs to come up with initiatives to strengthen DT and GT functioning.

3. Objectives of Consultancy

The main objectives of assessment study are to;

1. Identify critical areas to strengthen DT and GT functioning
2. Assessment of functional relationships between LGs and Local Government Administrations
3. Provide reliable data and information to make informed decisions
4. Document opportunities, problems and challenges encountered
5. Validate assumptions
6. Provide recommendations on strengthening DT and GT Functioning

4. Expected Results

The final expected result of the consultancy is:

- Draft and Final Inception Report
- Draft version of Assessment Study on DT and GT Functioning
- Final Assessment Report

5. Main Task

In particular, the consultancy services will include but not be limited to the following:

- a) Lead and facilitate workshops to achieve desired outcome from workshops
- b) Collect Primary and Secondary Data
- c) Develop methodology of assessment study based on ToR
- d) Analysis of data and information
- e) Finalize the draft Assessment Study on DT and GT Functioning and incorporate any revisions thereafter

6. Methodology/Approaches

The DLG shall provide logistic support in organizing the workshops and in overall process of assessment study. The actual assessment process and content shall be led by consultant.

The DLG, MoHCA and Helvetas Swiss Intercooperation will provide guidance and direction during the assessment process. While we recommend mix of quantitative and qualitative approach to be adopted, the actual design and methods will be developed by consultant to achieve desired outcome of study based on requirements in ToR. The methodology shall be agreed and endorsed jointly by the PMU, DLG and Consultant.

7. Deliverables and Schedule

The consultant will be engaged for total duration of 30 working days including attending 2 regional based workshops and field visits to Dzongkhags and Gewogs for data collection. **The total duration will not be continuous and spread over the period of 3 months from the day of the award of work.**

Scheduled as below:

SI.NO	Phase	Activity	Duration
1	Inception Phase	Present Draft Inception Report (present conceptual framework, methodology, workplan and	5 Days

		questionnaires to DLG)	
		Final Inception Report (Submit report after incorporating comments)	
2	Data Collection and Field Visits	Data Collection and analysis (workshops, observation, questionnaire etc)	10 days
		Lead Workshops with stakeholders	6 Days
3	Reports	Presentation on initial findings to DLG (Power Point)	9 Days
		Submission of draft Report	
		Submission of Final Report	
		Total Duration (Working Days)	30 Days

8. Reporting and debriefing

A final draft Assessment Report will be submitted to PMU, DLG, MoHCA.

9. Payment Modalities

The rate can be quoted on lumpsum or on daily basis for 30 working days including cost of field visits. The lumpsum rate should be the rate of overall cost not individual team members,

The consultant does not have to account cost of workshops that will be organized by DLG in his/her proposal. The Consultant can only account his/her own fees during the workshops. The other cost involved during the workshops shall be borne by DLG, MoHCA.

The payment mode shall be as follows;

Due Date	Expected Results	Amount (%)
To be agreed during signing of Contract	Submission of final inception report	30%
To be agreed during signing of Contract	Presentation and endorsement of initial Findings	35%
To be agreed during signing of Contract	Submission and endorsement of Final Draft Report	35%

10. Logistics

Local Consultant shall arrange his/her own logistics including payment for lodging and transportation in all process of assessment.

11. Evaluation of Proposal

The proposal will be evaluated based on weightage of 60 percent technical and 40 percent on financial proposal. The criteria for technical evaluation will be based on (sound methodology, qualification and experience of team leader, experience in similar assignment of study and team composition).

12. Reference documents

- Constitution of the Kingdom of Bhutan
- Vision 2020: A Vision for Peace, Prosperity and Happiness
- Good Governance Plus 2005
- Guidelines on Decentralization Policy (RGoB, 1993)
- Local Government Related Acts
- Local Government Rules and Regulations
- Thromde Rules
- Division of Responsibilities between Local Government and National Government
- Annual Grant Guidelines
- Fiscal Decentralization Report (DLG)
- Project Documents- Decentralization and Local Governance (DLGP)
- Municipal Finance Policy
- Public Finance Act
- Financial Rules and Regulations
- Civil Service Act 2010
- Bhutan Civil Service Rules and Regulations 2018
- 12th Five Year Plan Guidelines and related documents (RGoB)
- LG Assessment Study Report (National Council of Bhutan, 2016)
- Dzongdag Conference Resolutions
- Thrizins (Gups) Conference resolutions
- Local Government Development Planning Manual
- Minutes of the DTs and GTs
- Other Administrative records and information in the Dzongkhags and Gewogs
- Workshop report with DT Secretary on DT and GT Functioning organized by DLG, MoHCA
- Other relevant policies, reports and publications