



Caribbean Community Climate Change Centre

Empowering People to Act on Climate Change

A vacancy exists for a

LEGAL ADVISOR (WITH PROCUREMENT RESPONSIBILITIES)

TERMS OF REFERENCE

JUNE 2020





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OVERVIEW

- A. Job title:** Legal Advisor (with Procurement Responsibilities) at the Caribbean Community Climate Change Centre (CCCCC)
- B. Type of position:** Staff
- C. Duty Station:** CCCCC Headquarters, Belmopan, Belize
- D. Duration of appointment:** August 2020 – August 2022, with possibility for extension. Successful candidate may be required to undergo 1-year probationary period

I. BACKGROUND

- 1.1 The Caribbean Community Climate Change Centre (“Centre”) was established by an Agreement signed in February 2002 but it was officially opened in August 2005. Membership is opened to all Member States and Associated Member States of the Caribbean Community (CARICOM) on an optional basis. Its mandate includes: (i) coordinating the Caribbean region’s response to climate change, working on effective solutions and projects to combat the environmental impacts of climate change and global warming; and (ii) providing climate change-related policy advice and guidelines to the CARICOM Member States. In 2013, the Centre was registered with the United Nations under Article 102 of the Charter of the United Nations
- 1.2 The Centre operates as a self-sufficient organisation and covers its operating and capital cost primarily through indirect project-related costs generated when performing the functions of implementing and executing agency for regional projects.
- 1.3 The Centre collaborates with multiple regional and international partners in fulfilling its mandate and has successfully implemented and executed projects funded by agencies that include multilateral entities, such as the: *Green Climate Fund (GCF)*, *European Union (EU)*, *German Development Bank (KfW)*, *Inter-American Development Bank (IADB)*, *World Bank (WB)*, *Caribbean Development Bank (CDB)*, *Global Environment Facility (GEF)* and the *United Nations Development Programme (UNDP)*. The Centre has also partnered bilaterally, with entities such as the United Kingdom Department for International Development (UK DFID), United States Agency for International Development Eastern and Southern Caribbean Office (USAID ESC), Government of Italy, the Hellenic Republic of Greece and the Government of Australia.
- 1.4 The Centre has been designed as a Centre of Excellence by the United Nations Institute for Training and Research (UNITAR). Its staff comprises a cadre of highly qualified professionals.



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- 1.5 On July 09, 2015 the Centre was accredited as a regional implementing entity by the Board of the Green Climate Fund (GCF), a key multilateral financing mechanism to support climate action in developing countries.
- 1.6 In 2018, the Centre acquired an Airborne LIDAR system to support its Regional Airborne LIDAR Programme that includes conducting regional bathymetric and topographic surveys and analysing the relevant data in Member States.
- 1.7 As part of its business development and sustainability plan, the Centre intends to scale up its LIDAR Programme to provide bathymetric and topographic surveys and data analyses services within the Caribbean region.

II. OBJECTIVE

The Centre is seeking the services of an experienced in-house Legal Advisor, to draft and review legal instruments and policies, as well as, advise on matters concerning the business of the Centre, including GCF related activities, and to support the development and implementation of projects through procurement activities.

III. DUTIES AND RESPONSIBILITIES

The Scope of Services includes, but is not limited to the following:

A. Legal Advisory Services

The Legal Advisor is expected to support the Executive Director, Senior Management and Senior Staff at the CCCCC on a broad range of issues, including:

- i. Undertaking the day-to-day legal responsibilities and that includes research, analysis, investigation, and drafting authoritative legal advice on various legal matters with clearly articulated findings and recommendations for the relevant issues.
- ii. Drafting and reviewing legal instruments and deliberating on matters concerning the Centre's functions and mandate including its regional LiDAR programme.
- iii. Advising on human resources and employment related matters concerning staff at the CCCCC, including drafting principal terms and amendments to staff contracts and reviewing staff policies
- iv. Assisting in reviewing various documents, including legal and contractual instruments and any other relevant documents and to identify any legal implications for the Centre.
- v. Drafting, reviewing and vetting contracts, and other binding and non-binding instruments to be executed by the Executive Director, including International and Procurement Contracts, cooperation agreements with national regional and international partners, framework agreements, Memoranda of Understanding (MOU), as well as, monitor implementation of contractual obligations, where relevant.



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- vi. Assisting in the development and maintenance of a repository of legal instruments pertinent to the Centre's operations.
- vii. If necessary, representing the Centre on matters before a mediator or the courts.

B. Procurement Functions

The Legal Advisor will be required to perform procurement functions to support the effective implementation of Projects, to include many or all the following tasks:

- i. Executing complex and highly specialised procurement activities, requiring an in-depth knowledge of procurement rules, regulations, and procedures.
- ii. Advising on applicable procurement requirements, including developing procurement plans.
- iii. Advising on mechanisms to maximize competition while avoiding unrealistic bids and project vulnerability from overly aggressive bidding.
- iv. Advising on appropriate contractual instruments to effectively manage Bidder's obligations, including securities to be provided by Bidders to manage risks associated with advance payments, poor performance, defects and liabilities period etc.
- v. Drafting solicitation documents and managing tender procedure for the acquisition of services, works and goods so as to maximise competition from the pre-qualification / expressions of interest stage to the execution of contract phase, including: *identifying appropriate procurement methods, setting suitable evaluation criteria, determining acceptable and non-conforming bids, managing the evaluation of bids, drafting and negotiating contracts and awarding of contracts.*
- vi. During the implementation of the tender procedures: responding to bidder queries, manage bidder conferences, and respond to communication from bidders.
- vii. Supporting the development of a roster/database of technical and professional experts, vendors and other service providers that could be contracted by the Centre in the discharge of its mandate and functions, including those critical to project development and implementation.
- viii. Maintaining accurate and efficient records of procurement activities, contracts and lessons learnt.

C. Support Project Development and Finalization of relevant Financial Instruments with Donors, including the Green Climate Fund

The Legal Advisor may be required to advise on the legal implications concerning the development of Funding Proposals and resulting Funding Agreements with Donors, for example:

- i. Reviewing and acquiring in-depth knowledge of the Centre's Policies, Accreditation Master Agreement (AMA) and Framework Agreement with the Green Climate Fund to support project development and implementation.
- ii. Reviewing risk allocation assumptions to assess how those risks should legally be allocated when developing projects.
- iii. Advising on legal viability of project assumptions, projects design and architecture.



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- iv. Identifying licensing, permitting and other legal risks that need to be addressed and allocated as part of the legal due diligence during project development.
- v. Reviewing Fund Activity Agreements (FAA) and drafting all associated subsidiary agreements with executing entities, partners and or beneficiaries for the implementation of projects.
- vi. Advising on contractual and commercial relationships between the Centre and various partners and stakeholders.
- vii. The Centre may need to obtain debt or develop on-grant/on-lend/ blended financing facilities or other financial instruments with various beneficiaries, grantees, or development partners. The Legal Advisor will be required to provide advice on structuring of such instruments, then draft, negotiate and implement.

D. Additional Duties

The Legal Advisor may be required to perform additional tasks, for example:

- i. Reviewing existing internal policies and manuals of the Centre and various Donors, including the GCF and European Union, and advise on gaps and draft relevant provisions to modify.
- ii. Transferring expertise and knowledge to team members on various matters, including contract preparation and management and financial matters.
- iii. Undertaking any further duties as directed by the Executive Director.

IV. REQUIRED QUALIFICATION, EXPERTISE AND COMPETENCIES

Eligible candidates should have the following minimum qualifications, experience, and competencies:

- a) An experienced Attorney-at-Law with at least five (5) years post qualification experience, or alternatively possess a Bachelor's Degree in Law with at least seven (7) years post qualification experience.
- b) Experience in project / procurement management.
- c) Strong presentation, communication and report writing skills.
- d) Excellent written and verbal communication skills in English.
- e) Proficient Computer skills: word processing, spread sheets, presentations.
- f) Have nationality in a CARICOM Member State.
- g) Previous experience in a corporate or institutional setting or at a regional organisation will be an asset.
- h) Certification by the Chartered Institute of Procurement & Supply or any equivalent, reputable certifying authority will be an asset.



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V. PLACE OF WORK

The Legal Advisor will be contracted full-time to the Centre's Headquarters in Belmopan, Belize. The initial contract duration is for two (2) years with a probationary period of one (1) year and subject to extension, contingent on performance and availability of funding.

VI. MANAGEMENT ARRANGEMENTS

- a) The Legal Advisor will report to the Executive Director of the Centre or any person delegated to perform such a duty.
- b) The Legal Advisor will have day-to-day interactions with various team members including Procurement Officers, Project Managers, Project Development Specialist, other Technical Personnel and Finance.

VII. SUBMISSION OF APPLICATION

a) **Deadline for applications**

Eligible candidates should submit:

- Motivation letter outlining how your experience, skills, qualifications, and professional associations fit with the required job description.
- Detailed Curriculum Vitae or Résumé with full details of experience, achievements, qualifications, and names (include copies of Degrees and certificates).
- Proof that nationality is that of a CARICOM Member State.
- Names, Designation and Contact Details for at least three (3) previous supervisors.

b) **How to Apply**

Applications should be clearly identified as – “**Vacancy for Legal / Procurement Advisor**” in the subject matter of the email and be submitted as one PDF file (in the order listed above) via an email to:

*Ms. Ethlyn Valladares
Human Resource Administrator
Caribbean Community Climate Change Centre (CCCCC)
2nd Floor, Lawrence Nicholas Building, Ring Road
Belmopan City, Belize
Phone: + (501) 822-1094 or 1104
Email: hr@caribbeanclimate.bz*

- c) **Deadline for submission of applications: Monday July 6th 2020 at 10:00 AM Belize time (GMT-6).** Late applications may be rejected.

A short list will be derived based on the experience and qualifications as determined on the basis of submissions. Only candidates who are short-listed will be contacted.