



## INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **1 April, 2014**

**Country:** Republic of Moldova

**Description of the assignment:** International Consultant in EU approximating Moldovan food safety legislation for the Ministry of Agriculture and Food Industry (MAFI) and the National Food Safety Agency (NFSA)

**Project name:** Building Institutional Capacity of the Ministry of Foreign Affairs and European Integration

**Period of assignment/services:** April-June, 2014

Proposals should be submitted online by pressing the "Apply Now" button no later than 15 April, 2014.

Requests for **clarification only** must be sent by standard electronic communication to the following e-mail: [traian.turcanu@undp.org](mailto:traian.turcanu@undp.org). UNDP will respond by standard electronic mail and will send written copies of the response, including an explanation of the query without identifying the source of inquiry, to all applicants.

### 1. BACKGROUND

Relations between the Republic of Moldova (RM) and the European Union (EU) formally started with the signing of the Partnership and Cooperation Agreement (PCA) in 1994 that entered into force in 1998. The PCA established the basic principles of cooperation between RM and EU and was designed for a 10 year period.

The Partnership and Cooperation Agreement will soon be replaced by an Association Agreement which includes a Deep and Comprehensive Free Trade Area (DCFTA). The documents provide for political association and economic integration and have been initialed in Vilnius in November 2013.

For the Republic of Moldova the AA represents a reform agenda which is based on a comprehensive program of legal harmonization with EU norms.

Exceeding the classical arrangements of free trade, DCFTA provides not only a mutual opening of markets for most goods and services but requires a gradual rapprochement of norms and standards such as quality standards and rules, sanitary rules, intellectual property rights, trade facilitation, public procurement and competition, energy trade and other.

Except for European Economic Area and EU candidate states, never before has the EU opened its internal market to such an extent to a third country. This reality is possible due to the commitment of the Republic of Moldova to take over the *acquis communautaire*.

In exchange to effective implementation of EU legislation Moldova will gradually become part of the EU

internal market.

A deeper economic integration through DCFTA will boost the country's economic growth, will create business opportunities and promote real economic modernization and integration into the EU. The direct result of establishing free trade area with EU is that citizens will benefit from higher quality and safer goods and services while manufacturers will be supported to access international markets.

UNDP and its international partners are committed to assist Moldova, through technical and financial assistance, in promoting costly legal and institutional reforms that DCFTA entails.

The Project "Building Institutional Capacity of the Ministry of Foreign Affairs and European Integration (MFAEI)" aims at strengthening the institutional capacity of the MFAEI as lead institution in the AA negotiation process. In the same context, the Project seeks to contribute to developing EU integration capacities of key line ministries through aligning relevant policies, administrative and institutional arrangements, legislation, procedures and best practices to EU standards and requirements.

## **2. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED ANALYTICAL WORK**

The Project will contract an International Consultant to provide assistance to the Ministry of Agriculture and Food Industry of the Republic of Moldova (further referred as MAFI) and to the National Food Safety Agency (NFSA) in approximating the legislative framework relevant for the food safety in line with EU norms and practices.

The expert will assess and report on key legislation in force, institutional arrangements, and national procedures relevant for the food safety area; develop, together with the beneficiaries, a mission action plan for addressing existing legal and normative gaps and deficiencies in the food safety area; provide support to the beneficiaries in drafting legislative amendments, operational and supporting documentation (e.g. legislative impact analysis) relevant for the food safety area and for the registration, authorization and official control of food chain entities by: a) critically assessing the duties and responsibilities of the competent authorities in the food safety area and providing advice in the delimitation of competences with a view to avoiding overlap and creating synergies; b) analyzing the food business operators' registration process and offer guidance in setting up clear procedures for registration, authorization and official control; deliver a presentation on the findings and recommendations of the final mission report in a workshop with beneficiaries and key stakeholders (including representatives of the Centre for Legal Approximation).

**For detailed information, please refer to Annex 1 – Terms of Reference.**

## **3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS**

### Academic Qualification

- Relevant Bachelor degree in veterinary, hygiene, or food safety or other related fields. Relevant Master's Degree or PhD would be an asset.

### Experience

- Minimum 5 years of work experience in food safety in one or more EU member or candidate states.
- Minimum 5 years of experience in counselling and/ or implementing legal harmonization processes in the field of food safety.

- Experience on production, handling, processing, packaging and transportation of food under the new “Food Hygiene Package”<sup>1</sup> and relevant Framework Regulations<sup>2</sup>.
- Experience in organizing food safety audits.

#### Competencies

- Strong analytical and drafting skills.
- Ability to analyze, plan, communicate effectively with stakeholders and present ideas clearly and effectively.
- Demonstrated interpersonal and diplomatic skills.
- Ability to enter new environments, adapt quickly and produce immediate results.
- Computer literacy - competent user of Microsoft Office programs.

#### Language requirements

Fluency in written and spoken English. Knowledge of Romanian or Russian would be an asset.

### **4. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS**

Interested individual consultants must submit the following documents/information to demonstrate their qualifications:

- **Proposal:** explaining why they are the most suitable for the work;
- **Financial proposal;** in (USD, specifying a total lump sum amount and the number of anticipated working days);
- **Personal CV** including past experience in similar projects and at least 3 references.

### **FINANCIAL PROPOSAL**

The financial proposal shall specify a total lump sum amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables (i.e. whether payments fall in installments or upon completion of the entire contract). Payments are based upon output, i.e. upon delivery of the services specified in the TOR. In order to assist the requesting unit in the comparison of financial proposals the financial proposal shall include a breakdown of this lump sum amount (including fee, taxes, travel, per diems, and number of anticipated working days).

### **Travel**

All envisaged travel costs must be included in the financial proposal. This includes all travel to join duty station/repatriation travel. In general, UNDP should not accept travel costs exceeding those of an economy class ticket. Should the IC wish to travel on a higher class he/she should do so using their own resources.

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<sup>1</sup> including **Regulation (EC) 852/2004** on the hygiene of foodstuffs; **Regulation (EC) 853/2004** laying down specific hygiene rules for food of animal origin; **Regulation (EC) 854/2004** laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption; **Directive 2002/99/EC** laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption; **Directive 2004/41/EC** Repealing certain Directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council decision 95/408/EC

<sup>2</sup> E.g. **Regulation (EC) 178/2002** of European Parliament and of Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority (EFSA) and laying down procedures in matters of food safety; **Regulation (EC) 882/2004** on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

In the case of unforeseeable travel, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and Individual Consultant, prior to travel and will be reimbursed.

Up to two travel missions are envisaged under this assignment, with a minimum 20 working days in Moldova.

## 6. EVALUATION

Initially, individual consultants will be short-listed based on the following minimum qualification criteria:

- Relevant Bachelor degree in veterinary, hygiene, or food safety or other related fields. Relevant Master's Degree or PhD would be an asset.
- Minimum 5 years of work experience in food safety in one or more EU member or candidate states.

The short-listed individual consultants will be further evaluated based on the following methodology:

### Cumulative analysis

The award of the contract shall be made to the individual consultant whose offer has been evaluated and determined as:

- a) responsive/compliant/acceptable, and
- b) having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.

\* Technical Criteria weight – 60% (300 pts)

\* Financial Criteria weight – 40% (200 pts)

Only candidates obtaining a minimum of 210 points would be considered for the Financial Evaluation.

Criteria	Scoring	Maximum Points Obtainable
<b><u>Technical</u></b>		
Relevant Bachelor degree in veterinary, hygiene, or food safety or other related fields. Relevant Master's Degree or PhD would be an asset	University degree - 10 pts, Master's – 20 pts, PhD's – 30 pts	30
Minimum 5 years of work experience in food safety in one or more EU member or candidate states	5 years – 35 pts, more than 5 years of experience – 5 pts, for each additional year of experience up to a maximum of 25 additional points;	60
Minimum 5 years of experience in counselling and/ or implementing legal harmonization processes in the field of food safety	No – 0 pts, to some extent – 15 pts; yes – up to 60 pts;	60
Experience on production, handling, processing, packaging and transportation of	No -0 pts, to some extent – up to 15 pts, yes – up to 60 pts,	60

food under the new "Food Hygiene Package" <sup>3</sup> and relevant Framework Regulations		
Experience in organizing food safety audits	No – 0 pts, to some extent – 20 pts, yes – 40 pts,	40
Strong analytical and drafting skills; ability to analyse, plan, communicate effectively with stakeholders and present ideas clearly and effectively; demonstrated interpersonal and diplomatic skills; ability to enter new environments, adapt quickly and produce immediate results; computer literacy - competent user of Microsoft Office programs.	Max. 25	25
Fluency in written and spoken English. Knowledge of Romanian or Russian would be an asset	English- 15 pts; Romanian – 5 pts; Russian – 5 pts;	25
<b>Maximum Total Technical Scoring</b>		<b>300</b>
<b><u>Financial</u></b>		
Evaluation of submitted financial offers will be done based on the following formula: <b><math>S = F_{min} / F * 200</math></b> S – score received on financial evaluation; Fmin – the lowest financial offer out of all the submitted offers qualified over the technical evaluation round; F – financial offer under consideration.		<b>200</b>

### Winning candidate

The winning candidate will be the candidate, who has accumulated the highest aggregated score (technical scoring + financial scoring).

### **ANNEXES:**

#### **ANNEX 1 – TERMS OF REFERENCES (TOR)**

#### **ANNEX 2 – INDIVIDUAL CONSULTANT GENERAL TERMS AND CONDITIONS**

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<sup>3</sup> including **Regulation (EC) 852/2004** on the hygiene of foodstuffs; **Regulation (EC) 853/2004** laying down specific hygiene rules for food of animal origin; **Regulation (EC) 854/2004** laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption; **Directive 2002/99/EC** laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption; **Directive 2004/41/EC** Repealing certain Directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council decision 95/408/EC