



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **19 May 2014**

Country: Republic of Moldova

Description of the assignment: Legal Consultant for sex disaggregated electoral data

Project name: Democracy Programme/Elections

Period of assignment/services: 20 June - 15 August 2014 (20 WD)

Proposals should be submitted online by pressing the "Apply Online" no later than 5 June 2014.

Requests for **clarification only** must be sent by standard electronic communication to the following e-mail: beatricia.revenco@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.

Qualified women are encouraged to apply. Due to large number of applications we receive, we are able to inform only the successful candidates about the outcome or status of the selection process.

1. BACKGROUND

UNDP Moldova "Programme for improving the quality of Moldovan Democracy through Parliamentary and electoral support" is a multi-year institutional development programme that aims to support the institutional consolidation and modernization of both Moldovan Parliament and Moldovan Central Electoral Commission (CEC).

Electoral component of the Programme (Programme) provides continuous assistance to the CEC towards:

- Improving the capacity of the CEC to meet European gender and human rights standards;
- Improving the institutional environment for electoral management bodies to enable them to deliver inclusive and modern electoral processes;
- Improving the electoral and population registration process in Moldova.

One of CEC's key priorities for the period 2012-2015 is "examination of all existing CEC policies, procedures and institutional legal framework, to ensure the equal access of women and men (the principle of gender) to all electoral processes."¹

In 2013 the Programme assisted the CEC to conduct the first gender audit for a public institution in Moldova and prepare a gender mainstreaming action plan. The action plan (AP) identifies a number of activities that CEC and other institutions can do to foster gender equality in the electoral realm. The

¹ CEC strategic Plan – page 7, <http://www.cec.md/index.php?pag=page&id=66&l=>

action plan contains important tools and gender indicators for periodical assessment of the progress made on gender equality. The document was officially adopted in December 2013 and integrated into the CEC strategic plan for 2012 -2015.

The document was officially adopted in December 2013 and integrated into the CEC strategic plan for 2012 -2015. To assist CEC with implementation of the AP, the Programme intends to contract two local consultants, one legal consultant and one expert in data production area, to *review and adjust the relevant electoral legal and CEC regulatory framework and design a proper mechanism for regular collection of sex-disaggregated electoral data to be further used by CEC.*

These will enable CEC and other stakeholders to evaluate data during future electoral cycles, women's and men's degree of participation in electoral processes, identify and closely monitor the aspects of the electoral process that can and should be improved to enhance their equal participation. Sex disaggregated data might reveal, quantitative and/or quantitative differences between men and women, for example, in voter registration or participation in elections areas.

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

UNDP is looking for services of a qualified legal consultant ("Consultant") to support CEC in implementation of CEC gender mainstreaming action plan, namely with establishment of the legal framework needed for enabling collection of sex-disaggregated electoral data. Precisely the consultant will perform the following tasks:

- ✓ Acquaint him/herself with relevant documentation and legal framework
- ✓ Propose a **detailed work plan** and discuss it with the Programme, CEC and the UNDP expert in data production area
- ✓ **Participate in meetings** with UNDP, CEC and National Bureau of Statistics as well as other stakeholders, as required
- ✓ **Assess relevant electoral legislation and CEC regulatory framework** (CEC decisions, regulations, instructions, forms, etc.) **with the scope to identify the provisions which require amendments** in order to enable CEC to collect and process sex -disaggregated electoral data throughout all stages of electoral process (election management, candidates, observers, voters etc.)
- ✓ In collaboration with UNDP expert in data production area, **assess from the legal perspective, current electoral data collection procedures** applied by the CEC and lower level electoral management bodies to evaluate whether these procedures are in line with the proposed above amendments, and if the case, propose needed adjustments
- ✓ In consultation with relevant CEC staff and cooperation with the UNDP expert in data production area, **propose draft amendments to the existing electoral legislation and CEC regulatory frameworks** to enable collection of electoral sex-disaggregated data
- ✓ Perform other task required for successful finalization of the assignment.

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

3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

I. Academic Qualifications:

- Master's Degree in Law, Social Sciences or other relevant to the assignment field

II. Experience:

- At least 3 years of experience in legal drafting

- Proven knowledge of gender equality standards and their applicability in Moldovan context
- Previous experience in electoral area will be a strong asset
- Previous experience in carrying out gender assessment of national legal acts and integrating gender issues in programming frameworks will be a very strong asset
- Previous experience in working within UNDP or other international organizations will be an asset

III. Competencies:

- Strong analytical, organizational and interpersonal skills
- Knowledge of Romanian is a must. Knowledge of English will be an advantage.

4. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS

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

1. Proposal explaining why they are the most suitable candidate for the work including past experience in similar Projects (please provide brief information on each of the above qualifications, item by item)
2. Financial proposal
3. Duly completed and signed P11 Form and personal CV

5. 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 will include a breakdown of this lump sum amount (including 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.

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.

6. EVALUATION

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

- Master's Degree in Law, Social Sciences or other relevant to the assignment field
- At least 3 years of experience in legal drafting
- Knowledge of Romanian (verbal and written)

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 shall be considered for the Financial Evaluation.

Criteria	Scoring	Maximum Points Obtainable
<u>Technical</u>		
Master's Degree in Law, Social Sciences or other relevant field	Master's – 10 pts; PhD - 20 pts	20
At least 3 years of experience in legal drafting	3 years – 10 pts, each additional year – 10 pts, up to max. 60pts	60
Proven knowledge of gender equality standards and their applicability in Moldovan context	no – 0, yes – 20 pts	20
Previous experience in carrying out gender assessment of national legal acts and integrating gender issues in programming frameworks will be a very strong asset	Less than 1 year – 0 pts, 1 years – 10 pts, each additional year – 5 pts, up to max. 20 pts	20
Previous experience in working within UNDP or other international organizations will be an asset	1 project – 5 pts, each additional project – 5 pts, up to max. 20 pts	20
Interview (demonstrated technical knowledge and experience, strong analytical, organizational and interpersonal skills, knowledge of Romanian and English)	demonstrated technical knowledge and experience – 80 pts; strong organizational and interpersonal skills – 50 pts; Romanian – 10 pts; English – 10 pts	160
Maximum Total Technical Scoring		300
<u>Financial</u>		
Evaluation of submitted financial offers will be done based on the following formula: $S = F_{min} / F * 200$ 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.		200

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