



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: 17 October 2014

Country: Republic of Moldova

Description of the assignment: Local Anti-Corruption Expert

Project name: EU High Level Policy Advice Mission

Period of assignment/services: 35 working days (October 2014 – January 2015)

Proposals should be submitted online by pressing the "Apply Now" button no later than 26 October [2014](#).

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

The EU High Level Policy Advisory Mission (EU HLPAM) is a project financed by the European Union and implemented by the UNDP. The objective of the project is to support the Government to implement its EU-integration related reform Agenda and in particular to assist the government in developing the capacities required for the implementation of the Association Agreement, including the Deep and Comprehensive Free Trade Area, as well as the Visa Liberalisation Action Plan. Specifically, the project aims at strengthening the policy-making, strategic planning and policy management capacities of selected line Ministries and State Agencies involved in the implementation of the Association Agreement and Visa Liberalization and at enhancing stakeholders' knowledge and awareness of EU policies, legislation and regulations in sectors strategic to the implementation of the Association Agreement including the Deep and Comprehensive Free Trade Area, and to the implementation of visa liberalization. EUHLPAM beneficiaries include: the Prime Minister's Office, the Ministry of Foreign Affairs and European Integration; Ministry of Justice, Ministry of Internal Affairs, Bureau for Migration and Asylum, Prosecutor General Office, National Anti-Corruption Centre, Ministry of Agriculture and Food Industry, Ministry of Transport and Road Infrastructure, Ministry of Economy, Ministry of Education, Ministry of Environment, Customs Service, Main State Tax Inspectorate.

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

One of the major priorities of the Association Agenda (AA) between the European Union and the Republic of Moldova is to improve the existing legal and institutional frameworks on corruption prevention and

fighting. With this aim, EUHLPAM is assisting the National Anticorruption Centre (NAC) - the main anti-corruption authority at national level - in raising awareness of the policy implications of the Government's reform agenda and the AA negotiation and implementation processes, as well as in the identification of policy and legislative priorities. NAC benefits from the assistance of an EU High Level Policy Adviser/EUHLPAM.

In this context, the implementation of the Professional Integrity Testing Law (Law no. 325), which came into force on 14 August 2014 - is very important. The Law cannot be efficiently implemented without adjusting the whole domestic legal framework to its provisions and elaborating specific enforcement guidelines. The practice showed that the particular assistance is needed in clarifying how to report and secure evidences in the cases of active corruption. This goal could be achieved through providing comments to the articles 325 (Active Corruption) of the Criminal Code of Moldova, identifying differences between provisions of active corruption and undue influence (as per Law no. 325 on Professional Integrity Testing), analyzing the examination of active corruption cases and elaborating recommendations for improving the inter-agency reporting on active corruption.

At the same time, for harmonization of the national anti-corruption legal framework with the EU and international anti-corruption standards it would be necessary to ensure compliance of the Law no. 59 on Special Investigative Activities with the Criminal Procedure Code of the Republic of Moldova.

Based on the above mentioned the project is seeking to engage the services of a short term local anti-corruption expert on developing guidelines on reporting and securing evidences in cases of active corruption, and conducting a compliance review of the Law no. 59 on Special Investigative Activities and Criminal Procedure Code of the Republic of Moldova. The required service doesn't involve any overlapping with EU funded and other donor assistance projects.

The local expert will report primarily to the High Level Adviser to the National Anticorruption Centre and the EUHLPAM project manager.

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

3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

I. Academic Qualifications:

- A Masters' Degree in Public and/or Criminal Law or similar. A Bachelor's Degree in the same areas combined with 7 years of experience in the sector will serve in lieu of a Master's Degree.

II. Years of experience:

- 7 years of professional experience
- At least 5 years of professional experience linked to anti-corruption policy and/or capacity building in justice and/or law enforcement areas
- At least 5 years of proven experience of working with the law-enforcement authorities and/or judiciary in the Republic of Moldova

III. Competencies:

- Proven knowledge of criminal legislation of the Republic of Moldova and international anti-corruption standards
- Excellent research and analytical skills
- Proven report writing skills
- Computer literacy
- Fluency in written and spoken English
- Fluency in Romanian and Russian languages

4. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS

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

1. Proposal:

- (i) Explaining why they are the most suitable for the work;
- (ii) Provide a brief methodology on how they will approach and conduct the work;
- (iii) Copies of at least two of the following: a policy note, briefing, monitoring sheets, press releases, scripts for press conferences, briefings and briefing templates

2. Financial proposal;

3. Personal CV including past experience in similar projects and at least 3 references.

5. FINANCIAL PROPOSAL

The financial proposal will specify the daily fee, travel expenses and per diems quoted in separate line items, and payments are made to the Individual Consultant based on the number of days worked.

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:

- A Master's degree in Public and/or Criminal Law or similar. A Bachelor's Degree in the same areas combined with 7 years of relevant experience is considered as equivalent.
- At least 5 years of professional linked to anti-corruption policy and/or capacity building in justice and/or law enforcement areas.

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
Technical		
A Masters' Degree in Public and/or Criminal Law or similar. A Bachelor's Degree in the same areas combined with 7 years of experience in the sector will serve in lieu of a Master's Degree.	(Master's or equivalent– 35 pts)	35
7 years of professional experience	(<7 years – < 25 pts, 7 years - <30 pts, one point for each additional year – max. 35)	35
At least 5 years of professional experience linked to anti-corruption policy and/or capacity building in justice and/or law enforcement areas	(5 years – <25pts, 5 -7 years – <30 pts, 7-10 years – <35 pts)	35
At least 5 years of proven experience of working with the law-enforcement authorities and/or judiciary in the Republic of Moldova	(5 years – <25pts, 5 -7 years – <30 pts, 7-10 years – <35 pts)	35
Proven knowledge of criminal legislation of the Republic of Moldova and international anti-corruption standards	(limited –<25 pts, satisfactory – <30 pts, extensive – <35 pts.)	35
Excellent research and analytical skills	(limited –<20 pts, satisfactory – <25 pts, extensive – <30 pts.)	30
Proven report writing skills	(limited –<15 pts, satisfactory – <20 pts, extensive – <25 pts.)	25
Computer literacy	(limited –<10pts, satisfactory – <15 pts, extensive – <20 pts.)	20
Fluency in written and spoken English	(limited –<15pts, satisfactory – <20pts, extensive – <25 pts.)	25
Fluency in Romanian and Russian languages	(limited –<15pts, satisfactory – <20 pts, extensive – <25 pts.)	25
Maximum Total Technical Scoring		300
Financial		
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