



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **24 October 2014**

Country: Republic of Moldova

Description of the assignment: Two (2) International Consultants to conduct a needs/feasibility assessment and make recommendations for a DNA Profiling System in the Centre of Forensic Medicine

Project name: Support to Justice Sector Reform in Moldova

Period of assignment/services: November – December 2014 (up to 15 working days for each consultant)

Proposals should be submitted online by pressing the "Apply Now" button no later than 9 November 2014.

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

A well-established forensic infrastructure, including appropriate, independent and effective forensic expertise system, including the necessary technical, financial, human and other resources is crucial for a successful justice system. The quality and accuracy of forensic investigations and examinations have an extensive impact on the quality of justice and affect the overall perception of the justice system by the litigants and other users of justice system, including the overall population.

To date, forensic services in Republic of Moldova (RM) require increased attention and support to improve the status of the forensic infrastructure in the interest of successful investigation and prosecution of criminal cases and fairness, transparency and accountability of the judicial system.

Recognizing the need for improvement in the judicial system, the Justice Sector Reform Strategy for 2011-2016¹ in the RM addresses the need of relevant authorities to implement modern investigative and criminal investigation methodologies (priority 2.3.1), as well as enhance the overall capacities and reconsider the place and role of the forensic centre and forensic experts (priority 2.3.3). In relation to this, the Justice Sector Reform Strategy Action Plan² stipulates the following specific actions for the achievement of the abovementioned objectives: strengthening the capacities of forensic medicine laboratories (DNA analysis) (Activity 2.3.1.1) and drafting of the methodologies for each type of forensic expertise (Activity 2.3.1.6).

Government Regulation on the National Centre of Forensic Expertise of the Ministry of Justice, No 1052 as of 12 September 2006 stipulates that the National Centre of Forensic Expertise of the Ministry of Justice serves the purpose of a coordinating agency in relation to forensic expertise, while the Centre of Forensic Medicine of the Ministry of Health has exclusive competence over forensic medical expertise.

The Centre of Forensic Medicine faces a number of capacity, institutional, and operational gaps: the forensic experts use outdated methods of laboratory investigation; the facilities are inadequate and need

¹ http://justice.gov.md/public/files/file/reforma_sectorul_justitiei/srsj_pa_srsj/SRSJen.pdf

² http://justice.gov.md/public/files/file/reforma_sectorul_justitiei/srsj_pa_srsj/PA_SRSJ_adoptaten.pdf

refurbishment; and the laboratory conditions have insufficient illumination and ventilation systems. These issues result from lack of institutional and financial capacities include “lack of uniformed quality standards and no approved and validated methods and procedures that would ensure integrity and identity of the evidence throughout the forensic process”, as well as “lack of sufficient, predictable and stable funding to meet even the needs of a daily work, no adequate equipment, instruments, daily materials, appropriate laboratory and other facilities to conduct basic forensic investigations”.³

These gaps were partially addressed by the EU-UNDP Project “Strengthening the forensic examination of torture and other forms of ill-treatment in Moldova” implemented in 2011-2012 which provided the laboratories of the Centre of Forensic Medicine with modernised equipment to conduct histological, toxicological and other investigations, IT equipment to cover the Centre’s basic needs, and a number of specialized books to provide access to modern forensic literature to the Centre staff and experts.

In order to address the needs identified in the Justice Sector Reform Strategy Action Plan, and ensure the sustainability of efforts, further support is necessary, especially in order to ensure and increase the capacity of the Centre of Forensic Medicine. Establishing a DNA Profiling system is one of the pressing needs for the justice system in the RM for ensuring the effectiveness and success of the criminal investigations, as well as contributing to the higher public trust in the justice system in the RM.

At the present moment, there is no State-run DNA Profiling Laboratory that can be used for forensic expertise to contribute to evidence-gathering for criminal investigations and subsequent prosecutions in RM. The Centre of Forensic Medicine lacks the premises, equipment, capacities, facilities and knowledge to ensure efficient running of a DNA Profiling Laboratory to perform DNA analysis for forensic and crime investigation purposes and civil cases (e.g. paternity tests). Consequently, conducting a needs assessment and a feasibility analysis for the establishment of a DNA Profiling Laboratory will be an important step for ensuring an effective DNA Profiling system, including later establishment of a DNA database and other components, which are expected to contribute to a more effective and fair justice system in the RM.

2. OBJECTIVE:

The main objective of this assignment is to assist the Centre of Forensic Medicine to establish and successfully maintain a DNA Profiling Laboratory in the RM.

3. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED ANALYTICAL WORK:

The **scope of work** of the International Consultants will be:

- Conducting a needs assessment and feasibility study for the set up and creation of a DNA Profiling Laboratory for forensic and crime investigation purposes and civil cases (e.g. paternity tests) at the Centre of Forensic Medicine;
- Recommending further practical steps to be taken by the Centre of Forensic Medicine, National Centre of Forensic Expertise and relevant actors and stakeholders in order to set up and run a successful, effective, efficient, and accountable DNA Profiling Laboratory for forensic and crime investigation purposes and civil cases (e.g. paternity tests).

In order to achieve the objectives and to implement the abovementioned activities the International Consultants will work together and will:

³ “Feasibility Study on Forensic Infrastructure in the Republic of Moldova and the Findings of the External Audit of the Centre of Forensic Medicine”. UNDP Moldova, December 2011.

http://www.undp.md/publications/Forensics_Feasibility_External%20Audit_Report_EN.pdf

- 1) Conduct a **desk analysis and assessment** of:
 - The international standards and commonly used methodologies of performing and combining DNA profiling for forensic and civil purposes world-wide;
 - Relevant population statistics, crime rates, rates of mortality as result of violent crimes, criminal investigations and other relevant data to determine an estimated amount of work (average cases a year requiring DNA profiling Laboratories for forensic and crime investigation purposes) to be performed by the DNA Profiling Laboratory in RM;
 - Current technical capacities (including infrastructure and human resources), resources and constraints of the Centre of Forensic Medicine;
- 2) Develop and present a **final report** in English on the consultancy undertaken including recommendations on:
 - Which investigative and DNA profiling methodology and approach would be most appropriate considering:
 - Cost-effectiveness;
 - Cultural, societal norms in the context of the RM;
 - Financial resources and restrictions;
 - Available capacities in the RM;
 - Future plans related to DNA profiling and using DNA in the justice system in the RM (draft law for establishment of a DNA database, etc.)
 - Other relevant factors and particularities in the context of the RM.
 - Equipment and materials (including consumables) needed to sustainably maintain the Laboratory;
 - Human resources (experts, professional and technical staff, supporting/administrative staff, etc.) and organizational chart for a well-functioning DNA Profiling Laboratory;
 - Design (elements of space) and specifications of the DNA Profiling Laboratory considering the identified needs, constraints and the applicable international and regional standards (EU legal documents, ESS Standards, ISO 17025, etc.);
 - A list of administrative, technical and quality assurance procedures to be developed to ensure the security, efficiency and accountability of the personnel and the data at the DNA Profiling Laboratory.
- 3) Throughout the whole assignment, the International Consultants may undertake any other tasks related to the assignment as requested.

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

4. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS:

- I. Academic Qualifications:
 - Master's Degree or equivalent (5-year university education) in Law, Law-enforcement, Criminology, Biology, Genetics, Forensics or other relevant field;
- II. Years and sphere of experience:
 - At least 5 years of experience working in DNA profiling for civil and/or criminal purposes, laboratories specialised in DNA profiling, Evidence Screening and DNA Case Analysis;
- III. Competencies:
 - Proven commitment to the core values of the United Nations; in particular, is respectful of differences of culture, gender, religion, ethnicity, nationality, language, age, HIV status, disability, and sexual orientation, or other status;
 - Demonstrable experience in conducting criminal, civil or other kinds of DNA Analysis and knowledge of DNA profiling skills, tools and techniques;

- Extensive knowledge of DNA profiling for criminal investigation and forensic purposes and civil cases;
- Experience providing expert advice, consulting services for similar types of assignments with similar deliverables would be a strong advantage;
- Knowledge and experience in gathering, analysing and evaluating information and data from a variety of sources;
- English or Russian language proficiency;
- Knowledge of Romanian language would be an advantage;

IV. Personal qualities: responsibility, creativity, flexibility and punctuality.

The United Nations Country Team in the Republic of Moldova is committed to workforce diversity. Women, persons with disabilities, Roma and other ethnic or religious minorities, persons living with HIV, as well as refugees and other non-citizens legally entitled to work in the Republic of Moldova, are particularly encouraged to apply.

5. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS:

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

1. Cover letter:

- (i) Explaining why they are the most suitable for the work, incl. a list of analytical documents, reports, research conducted on DNA profiling for civil and/or criminal purposes, laboratories specialised in DNA profiling, Evidence Screening and DNA Case Analysis, or other task related documents the applicant has elaborated or contributed to;
- (ii) Providing a brief methodology on how they will approach and conduct the work;

2. Financial proposal as a **lump sum** in US Dollars, preferably split per each deliverable (which includes the fee, and all travel costs for two short missions to Moldova). For detailed information on travel requirements, please, refer to Annex 1 – Terms of Reference;

3. Personal information (as a detailed CV or as a Personal History Form/P11) including records on past experience in similar projects/assignments and concrete outputs obtained, including names of 3 reference persons and their contacts.

6. 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 instalments 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).

Payment will be made in two instalments: one following the completion of the 1st activity – desk review, based on the report submitted to the UNDP Moldova Justice and Human Rights Programme Analyst; and the second - following the completion of the rest of the activities based on the final report, including the final set of recommendations, submitted to the UNDP Moldova Justice and Human Rights Programme Analyst.

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.

The International Consultants will undertake one mission to Moldova for 5 days in November 2014.

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.

7. EVALUATION:

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

- Master's Degree or equivalent (5-year university education) in Law, Law-enforcement, Criminology, Biology, Genetics, Forensics or other relevant field;
- At least 5 years of experience working in DNA profiling for civil and/or criminal purposes, laboratories specialised in DNA profiling, Evidence Screening and DNA Case Analysis;

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

A two-stage procedure will be used in evaluating the candidates:

1. Technical evaluation (max 300 points) – 60%;
2. Financial evaluation (max 200 points) – 40%.

Technical evaluation will be based on a thorough desk review of applications.

Only candidates obtaining a minimum of 70% score of the technical evaluation (at least 210 points) would be considered for the Financial Evaluation.

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.

Criteria	Scoring	Maximum Points Obtainable
<u>Technical</u>		
Master's Degree or equivalent (5-year university education) in Law, Law-enforcement, Criminology, Biology, Genetics, Forensics or other relevant field	(Master – 20 pts., PhD – 30 pts.)	30
At least 5 years of experience working in DNA profiling for civil and/or criminal purposes, laboratories specialised in DNA profiling, Evidence Screening and DNA Case Analysis	(5 years – 30 pts., 5-7 years – 35 pts., more than 7 years – up to 40 pts.)	40
Demonstrable experience in conducting criminal, civil or other kinds of DNA Analysis and knowledge of DNA profiling skills, tools and techniques	(no – 0 pts., to some extent – up to 30 pts., yes/extensive – up to 60 pts.)	60

Extensive knowledge of DNA profiling for criminal investigation and forensic purposes and civil cases	(no – 0 pts., to some extent – up to 25 pts., yes/extensive – up to 50 pts.)	50
Experience providing expert advice, consulting services for similar types of assignments with similar deliverables	(no – 0 pts., to some extent – up to 20 pts., yes/extensive – up to 40 pts.)	40
Proven experience in drafting studies and reports	(no – 0 pts., yes – up to 20 pts.)	20
Knowledge and experience in gathering, analysing and evaluating information and data from a variety of sources	(no – 0 pts., yes – up to 35 pts.)	35
Knowledge of English, Russian, Romanian	(English and Russian – 10 pts. each, Romanian – 5 pts.)	25
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 REFERENCE (TOR)

ANNEX 2 – INDIVIDUAL CONSULTANT GENERAL TERMS AND CONDITIONS