



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: 17 December, 2014

Country: Republic of Moldova

Description of the assignment: International Consultant on EU approximation of Moldovan legislation on Indirect Taxation (VAT, excise duties)

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

Period of assignment/services: January-March, 2015

Proposals should be submitted online by pressing the "Apply Now" button no later than 7 January, 2015.

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

Quality standards and rules, sanitary rules, intellectual property rights, trade facilitation, public procurement and competition, energy trade and other, require a gradual rapprochement and the country undertook to approximate its legislative framework to the EU norms, standards and good practices as well as with relevant international instruments.

UNDP and its international partners are committed to assist Moldova, through technical and financial assistance, in promoting costly legal and institutional reforms that the Association Agreement 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 consult and raise capacity of the Moldovan Ministry of Finance in upgrading and EU approximating national legislation, institutional arrangements, procedures and best practices in the area of Indirect Taxation.

The expert will report on the current legal situation in the area of indirect taxation (VAT, excise duties) containing a comparative analysis with relevant EU law, policies and best practice drafted, draft legislation/legislative amendments and supporting documentation related to indirect taxes (VAT, excise duties), make institutional arrangements within the Ministry of Finance and procedures brought in line with best EU practices and provide workshop with beneficiaries including presentation of final mission report.

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

3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

Academic Qualification

- Relevant Bachelor degree in Finance, Taxation, Economics. Relevant Master's Degree would be an asset.

Experience

- Minimum 5 years' work experience in the field of Taxation, primarily in the indirect taxation in one of the EU Member States;
- Proven experience in the field of approximation with the EU acquis on taxation, primarily the EU Directives and Regulations on VAT and excise duties, and also conducted/participated directly in the approximation of indirect tax laws in one of the EU Member State
- Proven experience in tax policy making, primarily in indirect tax area.
- Experience in a senior position in a state institution/mandated body responsible for the approximation/harmonization of indirect tax laws would be an asset

Competencies

- 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.

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.

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 Finance, Taxation, Economics. Relevant Master's Degree would be an asset.
- Minimum 5 years' work experience in the field of Taxation, primarily in the indirect taxation in one of the EU Member 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
<u>Technical</u>		
Relevant Bachelor degree in Finance, Taxation, Economics. Relevant Master's Degree would be an asset	University degree - 10 pts, Master's – 20 pts, PhD's – 30 pts	30
Minimum 5 years' work experience in the field of Taxation, primarily in the indirect taxation in one of the EU Member States	5 years – 35 pts, more than 5 years of experience – 8 pts, for each additional year of experience up to a maximum of 40 additional points;	75

Proven experience in the field of approximation with the EU acquis on taxation, primarily the EU Directives and Regulations on VAT and excise duties, and also conducted/participated directly in the approximation of indirect tax laws in one of the EU Member State	No – 0pts, at some extent – 20pts, yes – 65 pts	65
Proven experience in tax policy making, primarily in indirect tax area	No – 0pts, at some extent – 20pts, yes – 35 pts;	35
Experience in a senior position in a state institution/mandated body responsible for the approximation/harmonization of indirect tax laws would be an asset	No – 0pts, at some extent – 15pts, yes – 30 pts;	30
Relevant Technical proposal (justification of being suitable for the work, vision and working approach). Proven report writing skills.	Max. 40	40
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
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