



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: 8 April 2015

Country: Republic of Moldova

Description of the assignment: National Legal Consultant to assist the Central Electoral Commission of Moldova in developing the draft Regulation on access to electoral processes

Project name: Democracy Programme/Elections

Period of assignment/services: 15 working days within 3 months assignment (May – July 2015)

Proposals should be submitted online by pressing the "Apply Now" button no later than 21 April 2015

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

UNDP Moldova Democracy Programme/Elections (further referred as Programme) is a multi-year institutional development programme that supports strategic development of the Central Electoral Commission of Moldova (CEC) with the aim to strengthen the capacity of electoral administration to deliver professional, transparent and efficient electoral processes. Overarching goal of the Programme is to improve the democracy in Moldova through modernization of the electoral processes, through free and fair elections representing the will of the people and which are fully in line with the international standards and best practices. This objective is to be reached through support in development of the capacities of electoral administration on central, regional and local levels to deliver inclusive and professional elections improved and gender and human rights mainstreamed.

Whilst there are concrete results achieved by now in the area of human rights, a number of issues remain to be addressed further. There is need for further work on extending the number of polling stations equipped with access ramps for wheelchair-bound voters and with facilities for voters with vision impairments. Moreover, there are certain groups of Moldovan citizens, such as persons with mental disabilities, who do not have the right to vote based on a final court decision. CEC requested Programme support in development of electoral policies in line with international human rights standards. As a result of this activity the CEC will also be able to provide proposals to electoral legislation and other policy documents to improve access for disabled persons to elections.

In this regard, CEC, with the support from a local NGO, has worked on the development of a draft "regulation on access to electoral processes", establishing concrete measures for ensuring accessibility of the electoral processes for voters with various types of disabilities. Now in final stages of the development, the draft document is to be distributed for internal consultations among the relevant CEC department and further adopted by CEC without delays.

2. SCOPE OF WORK:

The Program intends to contract an experienced legal consultant ("Consultant") to provide the CEC with the necessary support in finalization of development of the new regulation on access to electoral processes and its alignment to the current normative framework.

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 or other related fields;
- II. Experience:
 - At least 5 years of experience in legal drafting;
 - Previous working experience in fields related to cadaster, land relations, local public administration will be an asset
 - Experience in drafting normative acts in electoral area will be a strong asset;
- III. Competencies:
 - Demonstrated knowledge of electoral legislation of Moldova;
 - Knowledge of international human right standards and best practices will be a strong asset;
 - Strong analytical, organizational and interpersonal skills;
 - Fluency in Romanian and Russian. Knowledge of English will be an asset.
 - Skills: Computer literacy and ability to effectively use office technology equipment, IT tools.

4. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS

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

- a. Proposal: explaining why they are the most suitable for the work including past experience in similar Projects (please provide brief information on each of the above qualifications, item by item);
- b. Financial proposal (in USD, specifying a total requested amount per month, including all related costs, e.g. fees, phone calls etc.);
- c. Fully completed and signed P11 Form and at least 3 reference persons.

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 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.

6. EVALUATION

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

- Master's Degree in Law or other related fields;
- At least 5 years of experience in legal drafting;

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		
Master's Degree in Law or other related fields;	<i>MA – 25 pts., PhD – 30 pts.</i>	30
At least 5 years of experience in legal drafting;	<i>5 years – 40 pts., more than 5 years of experience – 5 pts. for each additional year of experience up to a maximum of 25 additional points;</i>	65
Previous working experience with Moldovan Central Public Administration institutions would be an asset	<i>Yes – up to 40 pts., No – 0 pts.</i>	40
Previous experience in drafting normative acts in electoral area will be an asset;	<i>Yes – up to 40 pts., No – 0 pts.</i>	40
Fluency in Romanian and Russian. Knowledge of English will be an asset.	<i>Romanian –10 pts.; Russian – 10 pts.; English - 5 pts.;</i>	25
<u>Interview</u>	<ul style="list-style-type: none"> • Demonstrated knowledge of electoral legislation of Moldova (<i>up to 35 pts.</i>) • Knowledge of international human right standards and best practices will be a strong asset (<i>up to 35 pts.</i>) • Strong analytical, organizational and interpersonal skills (<i>up to 30 pts.</i>) 	100
Maximum Total Technical Scoring		300
<u>Financial</u>		

<p>Evaluation of submitted financial offers will be done based on the following formula:</p> <p><u>$S = F_{min} / F * 200$</u></p> <p>S – score received on financial evaluation;</p> <p>Fmin – the lowest financial offer out of all the submitted offers qualified over the technical evaluation round;</p> <p>F – financial offer under consideration.</p>	<p>200</p>
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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