

INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: 23 June 2015

Country: Republic of Moldova

Description of the assignment: National consultant to review the national legal and regulatory framework related to data exchange and interoperability implementation

Project name: Democracy Programme / Elections

Period of assignment/services: 50 working days, between August – December 2015

Proposals should be submitted online by pressing the "Apply Now" button no later than 13 July 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 authorities of the Republic of Moldova to organize and deliver professional, transparent and efficient electoral processes.

One of the objectives of the Programme is to help improve the quality of voter lists' data by improving the voter registration procedures and quality of source data. In Moldova voter lists' are created from the State Register of Voters (SRV), which subsequently is extracted from the State Register of Population (SRP). The quality of data in the SRP depends on the quality of source data of the civil status acts as well as data from other registers (address register etc.). Another important aspect to ensure quality of data is the efficient exchange of data among different institutions through Moldovan data interoperability framework securing that all data is up-to-date, correct and complete.

In 2010 the Government of the Republic of Moldova launched "Governance e-Transformation Agenda" – an initiative designed to increase the efficiency and quality of a range of public services to citizens and businesses and improve management of the public sector through ICT. The Government data exchange and interoperability framework is the core enabler of this initiative.

As part of this activity the Programme shall provide support to the Government of Moldova, relevant line ministries and institutions, reviewing and developing proposals to adjust legal and regulatory framework on data exchange and interoperability, in line with Moldovan strategic objectives, international best practices. Thus, clarity on data ownership, data processing and protection of personal data will be ensured.

The Programme intends to contract a team of two consultants (one international and one national) to assist the Center of Electronic Government (E-Government Centre), Ministry of Information Technology and Communications (MITC) and other stakeholders to review the current Moldovan legal framework related to data exchange, interoperability and state registers. The team of consultants will evaluate and propose amendments to the legal and regulatory framework making it consistent (avoiding discordances between different legal acts), and in line with the "Governance e-Transformation Agenda". The consultants will take into account the EU legal framework and best international practices.

2. SCOPE OF WORK:

The Programme intends to contract a national consultant ("consultant") to review the current Moldovan

legal framework related to state resource information use and interoperability and draft, in conjunction with the international consultant, recommendations to improve the current legal framework, towards an efficient and secure data exchange implementation in Moldova.

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

3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

- I. Academic Qualifications:
 - Bachelors' degree in Law or related fields;
- II. Experience:
 - At least 5 years of professional experience in drafting of national legal and regulatory acts;
 - Previous professional experience in data exchange and interoperability will be an asset;
 - Previous experience in working with Moldovan state institutions is required;
- III. Competencies:
 - Demonstrated interpersonal and diplomatic skills, as well as the ability to communicate effectively with all stakeholders and to present ideas clearly and effectively;
 - Knowledge of EU legal framework and international best-practices related to data exchange and interoperability for improved public service delivery;
 - Excellent analytical and legal drafting skills;
 - Knowledge of Romanian and Russian (verbal and written) is a must. Knowledge of English will be a strong advantage.

The UNDP 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;

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 working day, including all related costs, e.g. fees, phone calls etc.);
- c. Duly completed P11 form (signed), personal CV and at least 3 references.

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:

- Bachelors' degree in Law or related fields;
- At least 5 years of professional experience in drafting of national legal and regulatory acts;

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:

- responsive/compliant/acceptable, and
- 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		
Bachelors' degree in Law or related fields;	<i>Bachelor's – 15 pts., MA – 25 pts.</i>	25
At least 5 years of professional experience in drafting of national legal and regulatory acts;	<i>5 years – 80 pts., each additional year of experience – 5 pts. up to a maximum of 100 points;</i>	100
Previous professional experience in data exchange and interoperability will be an asset;	<i>Yes – up to 30 pts., No – 0 pts.</i>	30
Previous experience in working with Moldovan state institutions is an asset;	<i>Yes – up to 30 pts., No – 0 pts.</i>	30
<u>Interview</u>	<ul style="list-style-type: none"> - Demonstrated interpersonal and diplomatic skills, as well as the ability to communicate effectively with all stakeholders and to present ideas clearly and effectively (<i>up to 30 pts.</i>); - Knowledge of EU legal framework and international best-practices related to data exchange and interoperability for improved public service delivery (<i>up to 30 pts.</i>); - Excellent analytical and legal drafting skills (<i>up to 30 pts.</i>); - Knowledge of Romanian and Russian (verbal and written) is a must (<i>10 pts. each</i>). Knowledge of English will be a strong advantage (<i>additional 5 pts.</i>) <i>Up to max of 25 pts.</i> 	115
Maximum Total Technical Scoring		300
<u>Financial</u>		

<p>Evaluation of submitted financial offers will be done based on the following formula:</p> <p>$S = F_{min} / F * 200$</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