



## INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **30<sup>th</sup> of September 2019**

---

**Country:** Republic of Moldova

**Description of the assignment:** National legal consultant for Green City project

**Project name:** Moldova Sustainable Green Cities – Catalysing investment in sustainable green cities in the Republic of Moldova using a holistic integrated urban planning approach

**Period of assignment/services:** 100 working days from **October 2019** to **December 2022**

Proposals should be submitted online by pressing the "Apply Online" button, no later than **7<sup>th</sup> of October 2019**.

Requests for **clarification only** must be sent by standard electronic communication to the following e-mail: [alexandru.rotaru@undp.org](mailto:alexandru.rotaru@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

The objective of the project is to catalyze investments in low carbon green urban development based on integrated urban planning approach, by encouraging innovation, participatory planning and partnerships between a variety of public and private sector entities.

The strategy of the project is to create, launch and support a new institutional mechanism called "Green City Lab" (GCL) as a vehicle for encouraging and supporting new innovative measures and approaches in addressing the urban development challenges and barriers

The project therefore will support the design, launching, and establishment of the Green City Lab to become the leading knowledge management and networking platform, clearing house, an facilitator of financing various green urban development projects, and a source of innovations and expertise to catalyze sustainable low carbon green city development in Moldova with a mission to transform Chisinau and other cities/towns in Moldova into modern green and smart European cities with improved quality of life for their citizens, while also demonstrating opportunities for sustainable economic growth.

The Green City Lab is expected to be a self-sustaining entity, operating on a commercial basis (as part of the UNDP in initial stage/ or separate independent entity), that does not rely on technical assistance funding alone, so that by the end of the project it can continue to operate and grow.

The project's objective will be achieved through three key outcomes as follows:

**Outcome 1:** Fully operational and sustainable Green City Lab recognized by the key stakeholders as the leading innovation, knowledge management and networking platform and a source of expertise for catalyzing sustainable low carbon green city development in Moldova with secured funding to continue its operation after the UNDP/GEF project closure.

The Contractor will be assigned with the implementation and advisory services for the achievement of the outputs falling under this outcome.

**Outcome 2:** Successfully completed pilot/demonstration projects facilitated by the GCL (described in detail in the project document) with related monitoring, reporting and verification of the results in the areas of:

- integrated and participatory urban land use and mobility planning;
- residential building energy efficiency and renewable energy use;
- resource efficient waste management.

**Outcome 3:** Knowledge management and M&E to facilitate learning, scaling up and replication of project results.

Beside the standard UNDP M&E procedures and requirements, this component encompasses monitored and evaluated overall results of the project and lessons learnt with compiled KM materials, recommendations for the removal of the identified complementary barriers, including institutional and regulatory improvements, and related public outreach and TA to scale up, replicate and mainstream the project results.

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

The "National legal consultant for Green City Project" under the UNDP-GEF Project titled: **Moldova Sustainable Green Cities – Catalysing investment in sustainable green cities in the Republic of Moldova using a holistic integrated urban planning approach**, during the duration of this consultancy, will report to the Project Manager and will provide required support to the project in view of establishment and functioning of the Green City Lab as well as demo projects implementation.

The Consultant will have the following responsibilities:

- Closely engage with key stakeholders, for identification of the best option for the Green City Lab (GCL) set-up and necessary institutional arrangements, including participation in discussions with potential founders.
- Take lead together with International and National Business Development Consultants, and project team in presentation and approval of the selected institutional set up at the Project board meeting.
- Providing advice and assistance in drafting the final version of the GCL business model and plan.
- Draft the statutory documents; shareholders agreements, articles of association, GCL board composition terms of reference.
- Providing expertise regarding the legal procedures and practices that may arise in the process of registration of the Green city lab.

- Provide legal support to National and International Business development Consultants in developing ToR for additional GCL staff needed (if any) and ToR for the team of experts and/or companies to be hired to support the capacity building of the existing Green City Lab staff.
- Provide legal support to the project team in developing an exit strategy for the Green City Lab.
- Drafting necessary legal documents identified and required for the implementation of the selected demo projects (including EMIS).
- Performing legal expertise of the legislation and provide legal opinion on various issues upon request
- Perform critical analysis of regulatory framework and develop relevant legal recommendations upon Project Manager request.

***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 (public, private, environmental or economic).

#### **II. Experience:**

- Strong knowledge of the legislation of the Republic of Moldova;
- At least 5 years of working experience in legal area, preferably with the focus on business regulation and environment;
- Good knowledge of the legal procedures as governed by the legislation of the Republic of Moldova, in the field of civil law, business law, environmental law;
- Experience of working for the business companies or in the alike field will be an advantage;

#### **III. Competencies:**

- Strong analytical and inter-personal and communication skills;
- Fluent in Romanian, English and Russian languages;
- Full computer literacy.

Proven commitment to the core values of the United Nations, in particular, respecting differences of culture, gender, religion, ethnicity, nationality, language, age, HIV status, disability, and sexual orientation, or other status.

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:

#### **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 (if applicable);

2. Financial proposal;

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

4. Offeror's Letter confirming Interest and Availability.

## **5. FINANCIAL PROPOSAL**

### **Lump sum contracts**

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 will include a breakdown of this lump sum amount (including fees, taxes, travel costs, accommodation costs, communication, 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 (public, private, environmental or economic)
- At least 5 years of working experience in legal area, preferably with the focus on business regulation and environment

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
<b>Technical</b>		
• Master's degree in law (public, private, environmental or economic)	under-Master's – 30 pts, Master's – 40 pts	40
• At least 5 years of working experience in legal area, preferably with the focus on business regulation and environment	5 years – 30 pts, >5 years – 50 pts	50
<b>Interview</b> (demonstrated technical knowledge and experience; communication/ interpersonal skills; initiative; creativity/ resourcefulness)		
• Strong knowledge of the legislation of the Republic of Moldova	limited –<15 pts, satisfactory – <25pts, extensive – <40 pts.	40
• Good knowledge of the legal procedures as governed by the legislation of the Republic of Moldova, in the field of civil law, business law, environmental law	limited –<15 pts, satisfactory – <25pts, extensive – <40 pts.	40
• Ability and demonstrated success to work in a team, to effectively organize it, and to motivate its members and other project counterparts to effectively work towards the project's objective and expected outcomes;	limited –<15 pts, satisfactory – <15pts, extensive – <40 pts	40
• Experience of working for the business companies or in the alike field will be an advantage	limited –<15 pts, satisfactory – <25pts, extensive – <40 pts	40
• Fluency in English, Romanian and Russian orally and in writing	Romanian and Russian – 5 pts each; English – 10 pts	10
• Excellent computer literacy (Word, Excel, Internet, Power Point)	limited –<10 pts, satisfactory – <15 pts, extensive – <20 pts	20
• Excellent communication, analytical, facilitation and presentation skills	limited –<10 pts, satisfactory – <15 pts, extensive – <20 pts	20
<b>Maximum Total Technical Scoring</b>		<b>300</b>
<b>Financial</b>		
Evaluation of submitted financial offers will be done based on the following formula: <b><math>S = F_{min} / F * 200</math></b> 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.		<b>200</b>

### 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**