



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **7 April 2020**

Country: Republic of Moldova

Description of the assignment: National consultant to support with legal aspects of introducing a modernized public nutrition mechanism in kindergartens

Project name: Moldova Innovation Lab (MiLab)

Period of assignment/services: April – June 2020, up to 25 working days

Proposals should be submitted by pressing the "Apply Now" button no later than [April 13, 2020](#).

Requests for **clarification only** must be sent by standard electronic communication to the following e-mail: jana.midoni@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 management of public nutrition in the Republic of Moldova is decentralized. In Chisinau, the public nutrition is managed by the General Division on Education of Chisinau Municipality, following the food safety standards of the National Agency for Food Safety. The local authorities have made significant efforts to manage the nutrition system at the highest level and improve its quality. In support to that, the previous Government has put in place an action plan to improve the public nutrition¹, which has not materialized. Recent developments in the public nutrition tells us there are many aspects to be improved, including the quality of the menus, a fairer and more sustainable procurement process, better monitoring and evaluation, constant evaluation of the impact of improved processes.

The deficiencies in the public nutrition system, and specifically at the level of kindergartens, have been reflected through media during the last years and refer to the quality of delivered products, quality of food prepared at kindergartens' premises, transparency in the procurement system, among others. Those created a public distrust not only among parents, who want better nutrition for their kids, but also among private sector companies who want a more transparent acquisition process.

¹ https://cancelaria.gov.md/sites/default/files/plan_08-07-873_30.10.2019_1.pdf

According to FAO, nutrition has an important role to play in kids' cognitive development, with a well-balanced nutrition supporting the cognitive development, and malnutrition negatively affecting the ability of children to stay in school and to learn throughout childhood². While in the Republic of Moldova the hunger has been reduced significantly, reducing malnutrition in all its forms, which is registered among children and other vulnerable groups, is a priority for Moldova (SDG 2.2).

In this context, the Mayorality of Chisinau has partnered with UNDP Moldova to develop and put in place a modernized public nutrition program in kindergartens, which is to reply to the actual challenges in the system. The modernized program will ensure it integrates efficiency, transparency and international food standards, and also addresses the SDG target 2.2. related to reducing malnutrition among children.

The modernized public nutrition program will follow these principles:

- Transparency – transparency of the system and its components, actors, procedures, results, impact, etc.
- Participation – wide engagement of all stakeholders in the system, including parents, kids, personnel of the educational institutions, private sector, vendors, etc.
- Fair competition – apply international standards to procurement, logistics, and so on when it regards the selection of the participants to the system
- Best value for money
- Integration and concentration – wholistic view on the system and integration of its components to ensure highest standards of quality
- Externalization – external credible partners are connected for transitory period to re-design and implement the new system
- Impact evaluation – robust impact evaluation is conducted to understand and evaluate the transformation produced by the system

The components of the modernized public nutrition program:

Modernization of the public nutrition system in kindergartens in Chisinau Municipality has three key components:

- improvement of the quality of the nutrition (in terms of calories, quality and structure of the menu for kids, diversity of the produce, quality of the monitoring system),
- improvement of the quality of the procurement and distribution processes (centralization of the procurement, modernization of the acquisition mechanism in line with international standards and good practices, implementation in practice of the principle of 'best value for money', modernization of the distribution and logistics and monitoring) and
- promotion of healthy diets in public kindergartens.

² Quoted in FAO Nutrition guidelines and standards for school meals, 2019, at <http://www.fao.org/3/CA2773EN/ca2773en.pdf>

To support the process, UNDP Moldova is looking for support from several area consultants, including a legal consultant, with responsibilities described here below.

2. DESCRIPTION AND OBJECTIVES OF ASSIGNMENT

The goal of the assignment is to determine the legal considerations related to the design and implementation of a revised public nutrition mechanism in pre-school education system in Moldova. Under this assignment, the consultant is expected to undertake the assessment of legal and regulatory aspects of the public nutrition system in kindergartens and prepare recommendations for the needed legal and regulatory amendments for the modernized nutrition program. The work will cover two components:

1. Legal and regulatory framework related to the structure, quality and quantity of the menus;
2. Legal and regulatory framework related to the procurement system (planning, acquisition, monitoring and evaluation, reporting).

To propose the recommendations, the consultant will take into consideration the international guidelines and standards governing public nutrition system, as well as UN best practices in running public procurement mechanism.

The analytic work of the consultant will be part of the UNDP preparatory work on introducing a modernized public nutrition mechanism in kindergartens, covering also other non-legal aspects, such as nutrition, procurement, data and IT. Thus for, the consultant will work in consultation with UNDP Policy Specialist, with UNDP Procurement Officers, UNDP Consultant on Nutrition and IT Specialist, seeking relevant inputs and support during the consultancy.

For the nutrition related component, the consultant will work in close collaboration with the Nutritionist, who will cover the consultancy related to the:

- Evaluation of the current system of nutrition in kindergartens;
- Development of a vision and recommendations for modernized nutrition in public kindergartens;
- Contribute to preparing the recommendations for modifications to the public regulations/ laws/ norms to make them aligned to the new vision;
- Revision of the menus and norms based on the new vision.

UNDP will provide all necessary support for undertaking needed consultations and meetings, and will participate, upon necessity, to the meetings.

UNDP Moldova will be developing the Project Document for the intervention and will seek inputs and support from the consultant during project document drafting.

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

3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

I. Academic qualifications:

- Master degree or equivalent (5 year university degree) in law, legal studies, or related discipline.

II. Work experience:

- At least 5 years of experience in law, legal and regulatory framework analysis, legal consultancy support in public institutions;
- Experience in analyzing and/or revision of national regulations, legal and policy frameworks governing public nutrition, including but not limited to public budgeting, procurement, contracting, monitoring and evaluation, reporting
- Previous work in public nutrition system field in Moldova is an advantage;
- Experience with applying international guidelines and standards governing public nutrition system is an advantage;
- Strong research, analytic, and report writing skills demonstrated through previous experience in developing analytic products and/or reports;
- Excellent communication, convening and teamwork skills.

III. Competencies:

- Fluency in Romania and English. Knowledge of Russian will be an asset. English is needed for researching the international standards in public nutrition.
- Proven commitment to the core values of the United Nations, in particular, respecting differences in culture, gender, religion, ethnicity, nationality, language, age, HIV status, disability, and sexual orientation, or other status.

4. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS

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

1. Intention letter, explaining why they are the most suitable for the position;
2. CV including records of past experience in similar projects/assignments and concrete outputs obtained (mentioning requested in the ToR knowledge/ experience);
3. At least 2 letters of references from previous beneficiaries confirming successful completion of services;
4. Financial proposal in USD, specifying the daily fee and the total amount, including all related costs;
5. Offeror's Letter confirming Interest and Availability.

The United Nations Development Programme in 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. FINANCIAL PROPOSAL

The financial proposal shall specify a daily fee per work day (8 hours) and total amount for the assignment.

Payments will be distributed in several installments, upon submission and approval of final deliverable and certification by UNDP Policy Specialist that the services have been performed satisfactorily.

Travel

No travel costs are envisaged by this assignment.

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. UNDP should not accept travel costs exceeding those of an economy class ticket. Should the IC wish to travel on a higher class she/he should do so using their own resources.

6. EVALUATION

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

- Master degree or equivalent (5 year university degree) in law, legal studies, or related discipline;
- At least 5 years of experience in law, legal and regulatory framework analysis, legal consultancy support in public institutions.

The short-listed individual consultants will be further evaluated by a Selection Committee based on the cumulative analysis:

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.

Technical Evaluation Criteria	Scoring	Max. Points Obtainable
Master degree or equivalent (5 year university degree) in law, legal studies, or related discipline.	Degree – 30 pts; additional training and certification - 10 pts; up to 50 pts.	50
At least 5 years of experience in law, legal and regulatory framework analysis, legal consultancy support in public institutions;	5 years –30 pts; each additional year of experience – 5 pts; up to a maximum of 50 pts.	50
Experience in analyzing and/or revision of	Yes, including public budgeting, procurement,	40

national regulations, legal and policy frameworks governing public nutrition, including but not limited to public budgeting, procurement, contracting, monitoring and evaluation, reporting;	contracting, monitoring and evaluation, reporting – 40 pts; yes - 30 pts; no – 0 pts	
Previous work in public nutrition system field in Moldova is an advantage;	Yes - 40 pts; no – 0 pts	40
Experience with applying international guidelines and standards governing public nutrition system is an advantage;	Yes - 40 pts; no – 0 pts	40
Strong research, analytic, and report writing skills demonstrated through previous experience in developing analytic products and/or reports;	10 pts per record of experience, up to a maximum of 30 pts	30
Fluency in Romanian, English.	Romanian – up to 15 pts; English – up to 15 pts	30
Fluency in Russian	Up to 20 pts	20
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