



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **12 February 2013**

Country: Republic of Moldova

Description of the assignment: National Consultant to provide legal support to the Working Groups of the
Parity Commission and the State Chancellery.

Project name: Joint Integrated Local Development Programme

Period of assignment/services: March 11th 2013 - March 10 individual Consultant Pro, 2014

Proposals should be submitted **on-line** by pressing "**Apply on-line**" link, no later than **20 February 2013**.

Requests for **clarification only** must be sent by standard electronic communication to the following e-mail: constantin.elisei@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 Government of Moldova (State Chancellery) in partnership with the UNDP and UN Women are implementing since 2007 several phases of the Joint Integrated Local Development Programme (JILDP) funded by the Government of Sweden. The JILDP was designed to improve the policy framework, as well as to support the administrative systems and procedures focused on efficient transfer of competencies to Local Public Administrations (LPAs), decentralization and promotion of LPAs' role in decision making. It also helps in building the capacity of LPAs to plan, implement and monitor their strategic plans and improve local public service delivery, involving civil society and community efforts and participation. Actions in the project seek to secure positive change in areas of human rights, tackling social exclusion and ensuring gender equality.

Starting with 2013, a new phase of JILDP is being implemented. With the adoption of the Decentralisation Strategy an overarching framework for decentralization in the country has been created. The JILDP will provide central and local public authorities with the support mechanism to implement this strategy. This will include the support to the elaboration of sector-specific strategies to outline the details in these sectors and the assistance to different institutions in the practical arrangements to actually implement the strategy. JILDP will support the Central government to ensure the functionality of relevant units to lead the reform: the Decentralization Policies unit at the State Chancellery, to coordinate the implementation of the entire decentralization Strategy, and the Intergovernmental fiscal policies unit at the Ministry of Finance, to lead, monitor and adjust the financial aspects of the reform. It will also assist the Special Parliamentary Commission on decentralization in legal drafting and adjustment. In order to improve the knowledge and skills of the local officials, JILDP will partner and improve the capacity of the Academy of Public Administration.

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

JILDP/UNDP seeks National Consultant (hereinafter Consultant) in order to provide legal expertise, review relevant existing legislation as well as draft laws and regulations, identify gaps and inconsistencies, develop proposals for ensuring removal of legal, administrative and fiscal barriers for improving the regulatory framework for an efficient and effective decentralization. The Consultant will provide legal support to the Working Groups of the Parity Commission and the State Chancellery to amend and develop draft laws and regulations, as well as other normative or policy documents in the field of decentralization.

The assistance will be provided in compliance with relevant international legal and regulatory frameworks Moldova is part of, and specifically with particular emphasis on Human Rights Based Approach (HRBA) and Gender Equality (GE) principles.

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

3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

I. Academic Qualifications:

- University Degree in Public Law, Public Administration or other relevant fields;

II. Years of experience:

- Minimum 5 years' experience in legal assistance (consultancy, advice and litigation) to local governments and/or public institutions;
- Experience in policy and/or legal drafts development;
- Proven experience in working with the international organizations (successful experience in working with UN agencies is an asset);
- Previous experience in human rights and gender equality analysis of national legislation;

III. Competencies:

- Demonstrated capacity of team-orientation work, excellent planning and organizational skills;
- Strong communication and inter-personal skills, including the ability to effectively communicate with persons from a variety of backgrounds;
- Advanced knowledge of both domestic and European public legislation;
- Ability to achieve results and deadlines in a timely manner, maintaining a high standard throughout;
- Fluency in both oral and written Romanian and knowledge of English ;

4. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS

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

1. Proposal explaining why they are the most suitable for the work;
2. Financial proposal;
3. Personal CV including past experience in similar projects and at least 3 references, or fully filled Personal History Form P11

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 will include a breakdown of this lump sum amount (including fee, taxes, 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:

- University Degree in Public Law, Public Administration or other relevant fields.
- Minimum 5 years of experience in legal assistance (consultancy, advice and litigation) to local governments and/or public institutions;

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>		
University Degree in Public Law, Public Administration or other relevant fields;	<i>(University – 10 pts, Master’s – 20 pts, PhD -30 pts)</i>	30
Minimum 5 years’ experience in legal assistance (consultancy, advice and litigation) to local governments and/or public institutions	<i>(5 years -40 pts, >5 years - 50 pts)</i>	50

Experience in policy and/or legal drafts development	<i>(no - 0, for each year of experience 10 pts. up to - 60 pts.)</i>	60
Proven experience in working with the international organizations (successful experience in working with UN agencies is an asset)	<i>(each year of such work – 10 pts. up to - 30 pts.)</i>	30
Previous experience in human rights and gender equality analysis of national legislation	<i>(no - 0, each year of such work – 10 pts. up to - 30 pts.)</i>	30
Interview	<i>(30 – demonstrated technical knowledge and experience; 20 - leadership; 20 – initiative; 10 – communication /interpersonal skills; 20 – fluency in Romanian and knowledge of English)</i>	100
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