



ADULT EDUCATION EXPERT (NATIONAL CONSULTANT) PROCUREMENT NOTICE

Date: 06.02.2017

Country: Turkey

Description of the assignment: Adult Education Expert (National Consultant) for UNDP Project: “Support to the Improvement of Legal Aid Practices for Access to Justice for all in Turkey”

Reference Code: LA-OII-AE-2017

Project name: “Support to the Improvement of Legal Aid Practices for Access to Justice for all in Turkey”

Period of assignment/services: 53 DAYS UPON CONTRACT SIGNATURE between February 2017 and October 2017

Proposal should be emailed to tr.ic.proposal@undp.org no later than **17 February 2017 COB**.

Any request for clarification must be sent in writing, or by standard electronic communication to the address or e-mail indicated above. UNDP will respond in writing or 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 consultants. **Only short-listed candidates will be contacted.**

1. BACKGROUND

Please see Annex 1(Terms of Reference).

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

Please see Annex 1(Terms of Reference).

3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

Please see Annex 1(Terms of Reference).

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) A one-page Letter of Interest, explaining why they are the most suitable for the work
- (ii) Personal CV including past experience in similar projects and at least 3 references

5. FINANCIAL PROPOSAL

The candidates will be requested to submit 'Financial Proposals' upon completion of technical evaluation.

The financial proposals shall be submitted in UNDP's standard format which will be communicated to successful candidates. The financial proposal shall specify the daily fee, travel expenses and per diems quoted in separate line items, and payments are made to the Individual Consultant based on the number of days worked.

6. EVALUATION

Applicants meeting the minimum requirements listed in the Terms of Reference will be short-listed and asked for price proposals. The selection of the Consultant will be made in accordance with the quality- cost based selection method (70 % technical component and 30% price component). Only short-listed candidates will be contacted.

ANNEX

ANNEX 1- TERMS OF REFERENCES (ToR)

ANNEX 2- P11 FORM

ANNEX 3 – GENERAL CONDITIONS OF CONTRACT FOR INDIVIDUAL CONSULTANT

Annex I - Terms of Reference (ToR)

Adult Education Expert (National Consultant) for Enhanced Capacity of the Attorneys Practicing Legal Aid for Disadvantaged Groups

Support to the Improvement of Legal Aid Practices for Access to Justice for all in Turkey

1. Background and Context

An effective access to justice is one of the fundamental conditions for the establishment of the Rule of Law. The right to access judicial protection essentially means the aggrieved individual's formal right to litigate or defend a claim. Effective access to justice has increasingly been accepted as a basic social right in modern societies.

As a means of access to justice, legal aid is a primary issue of human rights law which concerns fundamental principles such as equality of arms and right to a fair trial. Furthermore, legal aid should not be merely seen as a service provided by Bars but also as a part of civil and criminal justice policy. Thus, the European Court of Human Rights and UN Commission on Crime Prevention and Criminal Justice foresee that the states have full responsibility for the operation and nature of legal aid systems. Despite the initiatives for improvement of the legal aid services in Turkey, both EU progress Reports as well as international and national analyses address the need to improve the legal aid system in Turkey, especially in terms of its procedures, quality and impacts on citizens.

In order to address the gaps in legal aid practices for disadvantaged groups, the UNDP, the Union of Turkish Bar Associations (UTBA) and the Ministry of Justice (MoJ) initiated a joint Project entitled "*Support to the Improvement of Legal Aid Practices for Access to Justice for All in Turkey*" in September 2015. The Project aims to eliminate the gaps and needs for an effective functioning legal aid system and ultimately improve access to justice in Turkey. The main target group of the Project are disadvantaged groups including but not limited to women who have been subjected to sexual and gender based violence, children who are made to marry or work and/or with no social support system, and persons with disabilities. Therefore, local, age and gender specific approaches to legal aid will be developed under the Project.

The project focuses on institutional and individual level capacity enhancement activities for Union of Bar Associations of Turkey, local bar associations and attorneys practicing legal aid and plans to achieve the following results for enhancing the effectiveness and efficiency of the legal aid system in Turkey:

1. Improved Automation System for Appointment of Code of Criminal Procedure (CCP) Attorneys
2. Enhanced Capacity of the Attorneys Practicing Legal Aid for Disadvantaged Groups
3. Improved Performance Evaluation System for Legal Aid Services
4. Enhanced Coordination and Cooperation Among the Attorneys Practicing Legal Aid
5. Legal aid needs underpinned and services improved in southern border province of Turkey namely Gaziantep, Hatay, Osmaniye, Kilis, Şanlıurfa and Kahramanmaraş

The Terms of Reference at hand is for the *Adult Education Expert* who will support the Project for the achievement of Result 2, namely: "Enhanced Capacity of the Attorneys Practicing Legal Aid for Disadvantaged Groups" and for the Result 5 "The legal aid needs underpinned and services improved in the southern provinces of Turkey". The Expert will closely work with the international and local consultants to be recruited by UNDP and UTBA.

2. Objectives

The objective of the assignment is to provide technical support for the activities to be carried out under Result 2 and Result 5 of the Project for the enhanced capacity of the attorneys practicing legal aid for disadvantaged groups and the legal aid needs underpinned and services improved in the southern provinces of Turkey. Specialization of Code of Criminal Procedure (CCP) attorneys practicing legal aid in terms of special groups or areas is critical.

Result 2: The Adult Education Expert will work in close cooperation with international and local consultants in identifying the training needs of lawyers providing legal aid services to disadvantaged groups through interviews with bar associations and representatives of disadvantaged groups in 5 provinces (Mardin, Samsun, Edirne, İzmir, Muğla). The international and national consultants will then draft an Assessment Report with the findings. This Assessment Report will be turned into training modules for CCP attorneys, presented to the Consultation Group and the Heads of Trainee Education Commissions of 79 Bar Associations and incorporated into the modules into the education curriculum of trainee lawyers. The Adult Education Expert will aid the international and national consultants in first preparing and then delivering these training modules to 300 CCP. Having received their certifications from the trainings, the attorneys will continue trainings in the Trainee Education Centers of their respective Bar Associations. The final output will be developing guidelines for the use of CCP attorneys in line with European and UN standards, along with proposals on amendments to relevant legislation.

Result 5: The objective of Result 5 of the Project is underpinning the legal aid needs and improvement of the services in southern border province of Turkey which host a large number of Syrians, specifically Hatay, Osmaniye, Gaziantep, Şanlıurfa and Kahramanmaraş.

Together with the international and local consultant, the Adult Education Expert will contribute to prepare training modules and delivery of the trainings targeting 200 CCP attorneys based on the needs assessment report which has already been prepared in the previous phases of Outcome V. These trainings hope to touch upon the most important issues raised in the Needs Assessment Report and convey the recommendations for solving these issues in a way that is relevant and comprehensible to lawyers.

All outputs must be drafted with a gender and conflict sensitive analysis.

3. Description of Responsibilities

The Adult Education Expert will work closely with international and local consultants on providing the deliverables listed in Section 4, as well as the UNDP, Union of Turkish Bar Associations, Ministry of Justice and the local bar associations in Muğla, Edirne, İzmir, Mardin and Samsun. Together with the international and local consultants to be recruited, the Adult Education Expert will be responsible for the following:

- Contributing to the work of international and local consultants for conducting interviews and participating in the meetings with other stakeholders in the duty station or in the field as necessary, including UN programs and agencies, international and national NGOs.
- Contributing to the work of international and local consultants for drafting an Assessment and Recommendations Report compiling the findings from the study and field visits as well as the desk review;

- Contributing to the work of international and local consultants for revising the report and training modules based on the feedback of stakeholders;
- Contributing in the presentation of the findings of the report and the training module in a meeting with the participation of the Heads of Trainee Education Commissions of 79 Bar Associations;
- Contributing to the work of international and local consultants for developing tailor-made training modules in the field for 300 CCP attorneys who have worked or are expected to work on legal aid cases for disadvantaged groups;
- Contributing to the delivery of the trainings of 300 CCP attorneys by the international and local consultants;
- Contributing to the preparation of the draft version of the manuals and the methodology of trainings targeting 200 Code of Criminal Procedure (CCP) attorneys in the referred provinces (in each province there will be 2 trainings conducted) in accordance with the needs assessment and recommendations report of the Outcome V and contributing to the local consultant in conducting 8 one-day technical trainings.

4. Duration and Deliverables

The assignment will start in February 2017 and be completed in October 2017. The table below outlines the number of working days that are allocated to the Adult education Expert to carry out the assignment.

Please note that in order to fulfill required tasks for the development of deliverables as defined and listed in the table above, the **estimated** number of days to be invested are provided in the table below. This estimation is provided merely to facilitate the provision of a **lump-sum price proposals**. The number of days presented as ‘estimated number of working days to be invested’ is **indicative**. The ICs may invest less/more than the expected number of days to finalize each output. The actual number of days invested will not change the amount of payments. The amount paid shall be gross and inclusive of all associated costs such as social security, pension and income tax.

Deliverables/ Outputs	Estimated # of working days to be invested by IC	Indicative Deadlines (post-review)	Review and Approvals Required
1. Contributing to the work of international and local consultants for drafting an Assessment and Recommendations Report compiling the findings from the study and field visits as well as the desk review;	7 Days	24.03.2017	UNDP Cluster Lead in consultation with UTBA project director and MoJ representative
2. Contributing to the work of international and local consultants for revising the	10 Days	10.04.2017	UNDP Cluster Lead in consultation with UTBA project director

report and training modules based on the feedback of stakeholders;			and MoJ representative
3. Contributing to the work of international and local consultants for developing tailor-made training modules in the field for 300 CCP attorneys who have worked or are expected to work on legal aid cases for disadvantaged groups;	10 Days	21.04.2017	UNDP Cluster Lead in consultation with UTBA and MoJ
4. Contributing in the delivery of the trainings of 300 CCP attorneys by the international and local consultants;	7 Days	16.06.2017	UNDP Cluster Lead in consultation with UTBA and MoJ
5. Brief report on impressions from trainings and lessons learned	1 Day	25.06.2017	UNDP Cluster Lead in consultation with UTBA and MoJ
6. Contributing in the preparation of the draft version of the manuals and the methodology of trainings targeting 200 Code of Criminal Procedure (CCP) attorneys in the referred provinces (in each province there will be 2 trainings conducted) in accordance with the needs assessment and recommendations report of the Outcome V and contributing to the local consultant in conducting 8 one-day technical trainings.	18 Days	01.04.2017	UNDP Cluster Lead in consultation with UTBA and MoJ
Overall indicative number of days	53 Days		

5. Institutional Arrangement

UNDP is not required to provide any physical facility for the work of the Expert. However depending to the availability of physical facilities (e.g. working space, computer, printer, telephone lines, internet connection etc.) and at the discretion of the UNDP such facilities may be provided at the disposal of the IC.

The Expert will be responsible for reporting to the UNDP Cluster Lead, and will work in close coordination and collaboration with the other local consultant(s) of the project. Approvals will be required for the deliverables from UNDP upon submission of the deliverables listed in Section 4.

UNDP will provide project documents and background information including the legislative framework, previous works conducted in the field of legal aid and principles and guidelines on access to legal aid in criminal justice systems. The meetings planned for the assignment will be organized by the Human Rights and Rule of Law Project Associate. The supervisor of the Expert will be the Human Rights and Rule of Law Cluster Lead.

The Expert will provide the draft reports to the supervisor and will be responsible for responding to feedback and finalizing the deliverables within 10 working days.

6. Place of Work and Guidance for Price Proposal

The place of work will be the Expert's place of residence.

Several missions to Ankara (4) and one visit to each pilot site (Edirne, Samsun, İzmir, Muğla and Mardin) will be required in order to fulfill the responsibilities set out under Item 3.

The travel, accommodation costs (bed and breakfast) of the missions will be borne by the UNDP. UNDP will arrange flight tickets through the travel agency it works with. However, living costs (lunch, dinner, etc.) will be covered by the IC during these missions.

In case of need of additional travels that are unforeseen in the ToR, the respective travels of the consultant may either be;

- Arranged and covered by UNDP CO from the respective project budget without making any reimbursements to the Expert or
- Reimbursed to the expert upon the submission of the receipts/invoices of the expenses by the expert and approval of the UNDP. The reimbursement of each cost item subject to following constraints/conditions provided in below table;
- covered by the combination of the above options

The following guidance on travel compensation is provided per UNDP practice.

Cost item	Constraints	Conditions of Reimbursement
Travel (intercity transportation)	Full-fare economy class tickets	1- Approval of UNDP before the initiation of travel 2- Submission of the invoices/receipt, etc. by the consultant with the UNDP's F-10 Form 3- Approval of UNDP
Accommodation	Up to 50% of the effective DSA rate of UNDP for the respective location	
Breakfast	Up to 6% of the effective DSA rate of UNDP for the respective location	
Lunch	Up to 12% of the effective DSA rate of UNDP for the respective location	
Dinner	Up to 12% of the effective DSA rate of	

	UNDP for the respective location	
Other Expenses (intra city transportations, transfer cost from /to terminals, etc.)	Up to 20% of effective DSA rate of UNDP for the respective location	

7. Required Qualifications

Education:

- S/he shall have a bachelor degree in educational communication and planning.
- Additional educational background in social sciences, communication and educational environments will be an asset.
- Additional educational background in gender studies will be an asset.

General professional experience:

- S/he should have a minimum of ten (10) years professional academic experience including at least 5 years of experience in teaching communications and educational sciences.
- Substantial relevant professional proven experience in working with training module designing especially related to disadvantaged groups.
- The Expert shall have proven experience in working with government, civil society and international and inter-governmental organizations.

Specific professional experience:

- Proven research and drafting skills (the candidates may be required to submit the copy of research documents drafted by themselves),
- Hands-on work experience in developing tailor made training modules and its delivery.
- Experience in assessment of educational and training activities is an asset,
- Experience as a key/short term expert in international projects.
- Experience in working as a consultant for vocational trainings.

Language Requirements:

- Full proficiency in English

Notes:

- Internships (paid/unpaid) are not considered professional experience.
- Obligatory military service is not considered professional experience.

- Professional experience gained in an international setting is considered international experience.
- Experience gained prior to completion of undergraduate studies is not considered professional experience.

8. Evaluation of Applications

Applicants meeting the minimum requirements listed in the Terms of Reference will be short-listed and asked for price proposals. The selection of the Expert will be made in accordance with the quality-cost based selection method (70% technical assessment and 30% price assessment).

9. Payments

The expert shall be paid in TRY.

The amount paid to the expert shall be gross and inclusive of all associated costs such as social security, pension and income tax etc.

Payments will be made within 30 days upon the approval of the corresponding deliverable and UNDP Certificate of Payment Form (COP) (Attachment 1) on a lump sum basis irrespective the number of days invested by the consultant for this particular deliverable.

If the deliverables are not produced and delivered by the consultant to the satisfaction of UNDP, no payment will be made even if the consultant has invested working/days to produce and deliver such deliverables.

Tax Obligations: The Expert is solely responsible for all taxation or other assessments on any income derived from UNDP. UNDP will not make any withholding from payments for the purposes of income tax. UNDP is exempt from any liabilities regarding taxation and will not reimburse any such taxation to the Expert.

Annex II: Price Proposal Guideline and Template

The prospective Expert should take the following explanations into account during submission of his/her price proposal.

- You are asked to propose your professional **daily fee rate**, which will be multiplied by the number of working/days indicated in the Terms of Reference to establish the **total contract amount**.
- The fee rate should be indicated in TRY.
- UNDP will not make any further clarification on costs related to tax, social security premium, pension, visa etc. It is the applicants' responsibility to make necessary inquiries on these matters.
- The payments to be made will be calculated on the actual number of working/days to be invested and reported by the consultant for fulfillment/delivery of corresponding activities/deliverables. The number of working/days to be reported by the consultant cannot be more than the number of working/days allocated for the fulfillment/delivery of corresponding activities/deliverables.
- Price proposal is all-inclusive and shall take into account various expenses incurred by the consultant/contractor during the contract period (e.g. tax, social security premium, pension, visa, consultancy fee, health insurance, vaccination, personal security needs and any other relevant expenses related to the performance of services). Once proposed and accepted, **the fee rate cannot be changed**.
- As per UNDP corporate procurement rules and regulations, in case a candidate over 62 years of age and required to travel for the completion of tasks described in the TOR is identified for contract award, the candidate shall at his/her own expense undergo a full medical examination, including x-rays, as well as obtaining medical clearance from an UN-approved doctor prior to taking up his/her assignment.” **The cost of the medical clearance shall be taken into consideration while calculating and submitting the price proposal**. UN approved doctor list including contact information will be provided to the successful candidate.
- Please (a) copy the below text into a word processor, (b) indicate your daily fee rate as explained above, (c) do not change any part of the standard text (changing the standard text may lead to disqualification), (d) sign the document, (e) scan the signed version of the price proposal, and (f) send it as an attachment back to UNDP by replying to this email.

Price Proposal Submission Form for Experts

To: United Nations Development Programme

Ref: **Adult Education Expert for Enhanced Capacity of the Attorneys Practicing Legal Aid for Disadvantaged Groups**

Dear Sir / Madam,

I, the undersigned, offer to provide professional consulting services to UNDP within the scope of the referred Assignment.

I, the undersigned, offer to provide Professional Consulting Services as an Individual Contractor, to carry out the duties spelled out in the attached Terms of Reference for the sum as detailed below:

Daily consultancy fee:TRY [A]

Total number of working days: 53 working days [B]

Total price proposal:TRY [AxB]

My daily fee rate will be multiplied by the applicable number of units to establish the contract amount.

The number of working/days indicated in the terms of reference, allocated for each payment/deliverable is the **maximum** number of working days, and I agree to fulfill/deliver the relevant activities/deliverables at most within those maximum amounts of working/days.

I confirm that the price (daily fee rate) that I quote is **gross**, and is inclusive of all legal expenses, including but not limited to all legal expenses (social security, income tax etc.), which will be required by local law.

I agree that my proposal shall remain binding upon me for 60 days.

I understand that you are not bound to accept any proposal you may receive.

[Signature]

Date:

Name:

Address:

Telephone/Fax:

Email: