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Terms of reference (ToRs)

Formulation of the Project Document on UNDP's Support to Access to Justice and Human Rights

Location:	Mozambique
Application Deadline:	14 March 2018
Type of Contract:	Individual Contract
Post Level:	International Consultant (1) and National Consultant (1)
Languages Required:	English and Portuguese
Starting Date:	26 March 2018
Duration of Contract:	21 working days

Proposal should be submitted to the following address United Nations Development Program, Mozambique, Maputo, Av. Kenneth Kaunda nr 931, P.O. Box 4595, Maputo OR by email to procurement.mz@undp.org cc rosa.langa@undp.org and habiba.rodolfo@undp.org, no later than 14th March 2018.

Any request for clarification must be sent in writing, or by standard electronic communication to the address or e-mail indicated above. The procuring UNDP entity 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.

1. BACKGROUND

The UNDP has been supporting the justice sector and Human Rights through partnership with Ministry of Justice of Mozambique for almost 2 decades.

The last Project ran from January 2012 to December 2017, with an overall budget of about US\$ 3,000,000. The project supported various justice institutions including the Supreme Court, the Attorney General's Office, the Correctional Services, the Directorate for Human Rights, the Free Legal Aid Institute, and the National Human Rights Commission, under the coordination of the Directorate of Administration of Justice in the Ministry of Justice, Constitutional and Religious Affairs.

The Project aimed to contribute to the strengthening of the Access to Justice, Rule of Law and Human Rights protection in Mozambique, by focusing on 3 main priorities:



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- Supporting the process of introducing or strengthening innovative justice instruments (such as alternatives to imprisonment, existing Palaces of Justice and free legal aid) and enabling Justice Institutions to more effectively implement their mandate;
- Increasing the awareness of vulnerable groups on human rights and justice services and;
- Supporting the establishment of the National Commission on Human Rights.

The Project was submitted to a final evaluation in the last quarter of 2017. The evaluation concluded that, all the components of the Project continued to be relevant to the country's justice priorities, to the government priorities and it continued to require international support.

Furthermore, and prior to the final evaluation, UNDP had started with an internal process of formulation of the Project Document for the current phase (2017-2020), which needs to be finalized based on the findings of the final evaluation, the reality on the ground and the UNDP directives on Project formulation.

In view of the above, the UNDP in Mozambique is looking for two consultants (one international – Team Leader) and one National consultant to finalize the formulation of the full project document on its support to Access to Justice and Human Rights.

2. SCOPE OF WORK

The overall purpose of the consultancy is the finalization of the formulation of the Project Document on UNDP's support to the justice sector and human rights 2018-2020.

The process will include desk review of relevant documentation (to be shared by UNDP Mozambique), meetings with national institutions, consultations with UNDP programme team, reference to the final evaluation report, the UNDP Project Document on CSO and UPR and the draft Project Document. Furthermore, the consultants will be required to conduct and facilitate a validation workshop, where they will present the proposed strategy and key actions. To finalize the project document, the consultant will be required to include the relevant inputs and feedback received from stakeholders during the workshop (verbal and written).

The desk review, should include a strong understanding of UNDP Strategic Plan (specifically regarding the thematic focus and targeting) and Integrated Result and Resource framework, a deep understanding of UNDP new Project Quality Assurance criteria, as the project will be assessed using these criteria, and a deep understanding of the new monitoring policy and requirements.

3. DELIVERABLES

The Project Document on UNDP's support to the area of Access to Justice and Human Rights for 2018-2020 will be the main outcome of this consultancy. The Project Document should be formulated as per UNDP format and guidelines.

In order to achieve the above, the consultants will do the following:

- Map out resident and non-resident UN entities Human Rights and Access to Justice programmes
- Map out resident and non-resident UN entities existing Human Rights and Access to Justice Programmes. Through this work, the consultants will identify how UN programming contributes to Mozambique's implementation of key recommendations from the international human rights mechanisms
- Based on findings of preliminary assessment, assist in drafting project proposal (s) on Access to Justice and Human Rights for UNDP and OHCHR such that these aligns and build an open existing work and helps address potential gaps
- A draft UNDP Project Document in the area of Access to Justice and Human Rights, with detailed Results Framework and Multiyear Work Plans for the period April 2018 - December 2020. The draft should meet the Project Design and Appraisal Quality Criteria.
- A short report of the one-day workshop which should be held with key stakeholders, aiming at presenting the strategy and main components of the proposed Project.
- The final UNDP Project Document meeting the Project Design and Appraisal Quality Criteria, including all annexes, for the period April 2018 – December 2020.

In line with the revised UNDP Project Document template, the outline of the finalized Project Document will be as follows:

- I. Development challenges
- II. Strategy
- III. Results and Partnerships
- IV. Project Management



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- V. Results Framework
- VI. Monitoring and Evaluation
- VII. Multi-Year Work Plan
- VIII. Governance and Management Arrangements
- IX. Legal Context and Risk Management
- X. Annexes:
 - a. Project Quality Assurance Report
 - b. Social and Environmental Screening Template
 - c. Risk Analysis.
 - d. Capacity Assessment
 - e. Project Board Terms of Reference and TORs of key management positions

The formulation of the project document should also refer to the findings, lessons learned and recommendations of the Final Evaluation Report to the Project Strengthening Access to Justice, Rule of Law and Human Rights Protection (November 2017).

The formulation of the project document should meet the standards defined within the new Project Quality Criteria, as defined in the Project Quality Assurance system (built on the Design and Appraisal Assessment of the Project Quality Assurance). This includes, but is not limited to, a strong theory of change aligned with the CPD theory of change.

The formulation of the project document should also take in consideration the Social and Environmental Standards.

The result framework should be built on SMART results aligned with the CPD outcomes. A set of SMART indicators should be defined and included whenever relevant indicators from the IRRF.

Finally, the project document should be in line with UNDP new monitoring policy.

4. METHODOLOGY

The following are some of the proposed methodology that may be used by the consultants.

- Briefing with the RC, UNDP and OHCHR staff
- Desk review of relevant documents
- Consultation meetings/interviews with UN Agencies
- Consultations to national institutions (Ministry of Justice, Constitutional and Religious Affairs, SERNAP, DHDHC, PGR, TS, CNDH)
- Map out of Access to Justice and Human Rights programmes
- Drafting of the Project Document



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- A workshop with relevant stakeholders to present the draft ProDoc aimed at presentation of finds and for resource mobilization (national institutions, CSOs, donors and UN Agencies)
- Incorporation of inputs from the meeting as well as written contributions to be sent by participants
- Project Documents, in hard and soft copy (MS Word and Acrobat Reader)

5. IMPLEMENTATION ARRANGEMENT

The Head of Governance Unit in the UNDP Mozambique will be the main focal point for this consultancy. Nevertheless, the consultants will work under the joint supervision of UNDP Mozambique and OHCHR ROSA and will work in close coordination with the Resident Coordinator.

This TOR shall be the basis upon which compliance with assignment requirements and overall quality of services provided by the consultants will be assessed by UNDP.

UNDP Governance Unit will provide the Consultants with office space, transportation for any work-related movement, except for commuting from and to home.

Laptops will be provided by the Consultants.

a. Duration of the Work

The duration of work will be 21 working days based upon a 6-day work week.

b. Duty Station

The Consultants will be based in Maputo city with possible field visits to at least 1 province mentioned earlier (to be agreed upon as part of the methodology in the inception report).

6. FORMULATION TEAM COMPOSITION AND REQUIRED COMPETENCIES

The formulation process will be conducted by two external consultants, one international (team leader) and one national expert. Both consultants shall be specialists on Justice and preferably have knowledge of Justice and human rights initiatives in Africa. The international



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consultant will be responsible for the achievements of the objective of the evaluation and for the submission of the deliverables

The international consultant will be the team leader and will instruct the national consultant on the initial work to be carried out prior to his arrival in Maputo and after he/she has left Mozambique until the final submission of the final report.

The international consultant will travel to Mozambique after acceptance of the Inception report. Prior to the field work of the assignment, the consultants will prepare by studying any documentation provided to them by UNDP Mozambique and submit the inception report.

The national consultant will give specific insights about Government, line ministries, civil society, private sector and other partners and stakeholders as well as national context. (S)/he will also take the lead in facilitating organizational capacity, focus group discussions amongst project partners in order to address the issues. (S)/he will be required to arrange and participate in meetings related to gathering inputs prior to and during the field mission of the international consultant and contribute to all requirements for the project write-up.

The national consultant will also be provided with the key project documentation prior to the initiation of the field work. The national consultant will provide technical and interpretation/translation support to the international consultant throughout the assignment.

UNDP Governance Unit will facilitate the work of the consultants before and during the assignment period, including provision of presentation information to stakeholders, and producing necessary background information for the revision process, in coordination with the Justice Project team.

a. Requirements for Experience and Qualifications

i. Team Leader:

Academic Qualifications:

- Master's degree in Law, Human Rights or any other relevant field

Relevance of experience:

- Minimum of 15 years of work experience in the area of Justice and preferably also on human rights



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- Proven practical experience in UNDP and other development partners project/programme formulation using results-based management principles
- Experience in mainstreaming gender in projects/programmes and identifying initiatives in supporting the achievement of MDGs and mainstreaming of the SDGs
- Strong analytical skills and strong ability to communicate and summarize this analysis in writing.
- Previous experience in the formulation of Justice, Human Rights projects in sub-Saharan Africa is strongly desired.

Competencies:

Corporate Competencies:

- Demonstrates integrity by modeling the UN's values and ethical standards (human rights, tolerance, integrity, respect, and impartiality);
- Promotes the vision, mission, and strategic goals of UNDP;
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability.

Functional Competencies:

- Consistently approaches work with energy and a positive, constructive attitude
- Strong interpersonal and written and oral communication skills;
- Has ability to work both independently and in a team, and ability to deliver high quality work on tight timelines.

Language proficiency

- Fluency in English is essential.
- Knowledge of Portuguese will be an asset.

ii. National consultant

Academic Qualifications:

- Degree in Law, Human Rights or any other relevant field



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Relevance of experience:

- Minimum of 5 years of work experience in the area of Justice and preferably also on human rights
- Previous experience in conducting formulation of project/programme documents.
- Experience in mainstreaming gender in projects/programmes and identifying initiatives in supporting the achievement of MDGs
- Proven analytical capacities and ability to communicate
- Familiarity with the justice system in Mozambique will be an asset

Competencies:

Corporate Competencies:

- Demonstrates integrity by modeling the UN's values and ethical standards (human rights, tolerance, integrity, respect, and impartiality);
- Promotes the vision, mission, and strategic goals of UNDP;
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability.

Functional Competencies:

- Consistently approaches work with energy and a positive, constructive attitude
- Strong interpersonal and written and oral communication skills;
- Has ability to work both independently and in a team, and ability to deliver high quality work on tight timelines.

Language proficiency

- Fluency in English and Portuguese

7. PRICE AND SCHEDULE OF PAYMENTS

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 instalments or upon completion of the entire contract).

Payments are based upon output, i.e. upon delivery of the services specified in the TOR. To assist the requesting unit in the comparison of financial proposals, the financial proposal will include a breakdown of this lump sum amount (including professional fees based, travel costs, living allowances, communications, consumables, visa and other expenses related to the execution of the consultancy). The lump sum amount shall also incorporate the cost of medical insurance and evacuation during the assignment period.

- The contract price is fixed regardless of changes in the cost components

The schedule and percentage payments will follow the timelines of the below-mentioned deliverables:

Deliverables/Outputs	Tentative Dates	Fee (%)
1. Inception report indicating the plan to deliver the whole assignment	5 th day of consultancy	20%
2. A draft project document with detailed Results Framework and Multi-Year Work Plans.	By the end of the third week of consultancy	50%
3. A brief report of the validation and resource mobilization workshop	2 days after workshop	
4. A final project document on Economic Governance, in line with UNDP guidelines and meeting the Project Design and Appraisal Quality Criteria, incorporating comments from stakeholders and including all components and annexes	2 weeks after receiving the consolidated comments to draft report	30%

Notes:

Individuals on IC are not UN staff and are therefore not entitled to DSAs. All living allowances required to perform the demands of the TOR must be incorporated in the financial proposal, whether the fees are expressed as daily fees or lump sum amount.

8. Recommended Presentation of Offer

Interested individual consultants must submit the following documents and or information:

- 1) Duly accomplished **Letter of Confirmation of Interest and Availability** using the template provided by UNDP.



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- 2) **Personal CV or P11**, indicating all experience from similar projects, as well as the contact details (email and telephone number) of the Candidate and at least three (3) professional references.
- 3) **Technical proposal:**
 - a. Brief description of why the individual considers him/herself as the most suitable for the assignment
 - b. A methodology on how they will approach and complete the assignment.
- 4) **Financial proposal** that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided. If an Offer is employed by an organization/company/institution, and he/she expects his/her employer to charge a management fee in the process of releasing him/her to UNDP under Reimbursable Loan Agreement (RLA), the Offeror must indicate at this point, and ensure that all such costs are duly incorporated in the financial proposal submitted to UNDP

a. 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. The contractor will not be required to travel outside Mozambique within the framework of the contract.

In case the consultant is required to travel to a province within Mozambique, upon request of the UNDP Country Office in Mozambique, payment of all travel costs including tickets, lodging and terminal expenses will be covered by UNDP.

9. Criteria for Selection of the Best Offer

Individual consultants will be evaluated based on the following methodology:

Cumulative analysis

When using this weighted scoring method, the award of the contract should 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; [70]*

** Financial Criteria weight; [30]*

	Criteria	Weight	Max.
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	Technical				70% 100
	Education	Thematic expertise:	Proven practical experience in project formulation:	Experience in mainstreaming gender	Language Proficiency
Team Leader	At least a Master's Degree in Law, Human Rights or any other relevant field	Minimum of 15 years of work experience in the area of Justice, and preferably also on human rights	Proven practical experience in UNDP and other development partners project and programme formulation using results-based management principles.	in projects /programmes and identifying initiatives in supporting the achievement of the MDGs and mainstreaming SDGs.	Excellent written and spoken English is Required
National consultant	Degree in Law, Human Rights or any other similar relevant field	Minimum of 5 years of work experience in the area of Justice and preferably also on human rights	Previous experience in conducting formulation of project/programme documents.	in projects /programmes and identifying initiatives in supporting the achievement of the MDGs	Excellent written and spoken Portuguese and working English is Required
	15 Points	30 points	30 points	15 points	10 points

Important Note

Interested offerors above the age of 62: UNDP regulations require, at their own cost, to undergo a full medical examination including x-rays. Medical evaluation documentation does not need to be submitted with the other requested documents listed above, but will be requested should the candidate be chosen.



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Only candidates obtaining a minimum of 70 points of the 100 points in the Technical Evaluation will be considered for the Financial Evaluation.

Criteria	Weight	Max. Point
<u>Technical</u>	70%	70
<u>Financial</u>	30%	30
<u>Total</u>	100%	100

The financial score for the financial proposal will be calculated in the following manner:

$S_f = 100 \times F_m / F$, in which S_f is the financial score, F_m is the lowest price and F the price of the proposal under consideration.

(Total Financial Maximum points = 100 points)

Total Score

The technical score attained at by each proposal will be used in determining the Total score as follows:

The weights given to the technical and financial proposals are: $T = 0.7$, $F = 0.3$

The Total score will be calculated by formula: $TS = St \times 0.7 + Sf \times 0.3$

TS - Is the total score of the proposal under consideration

St - is technical score of the proposal under consideration.

Sf - is financial score of the proposal under consideration.

10. QUÉRIES:

Any queries must be submitted through the following e-mail address: procurement.mozambique@undp.org. Any such queries must be clearly identified by the title of this assignment and UNDP shall not be liable for none response to any queries which are not attended to due to none compliance with this directive.

N.B: UNDP is a none discriminative organisation and is gender sensitive, therefore this post is open to all suitably qualified applicants independent of their status.



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11. APPROVAL

This TOR is approved by:

Signature

A handwritten signature in blue ink, appearing to read 'Habiba Rodolfo', written over a horizontal line.

Name and Designation

Habiba Rodolfo,

Head of Governance a.i.

Date of Signing

27 February 2018

