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GHANA

INDIVIDUAL CONTRACT (IC) PROPOSAL SUBMISSION FORM

Recruitment of Individual Consultant to support the Legal Aid Commission to Draft legislative instructions for the implementation of the Legal Aid Commission ACT

Procurement Notice Ref. No.: UNDP.GHA.2018.243.IC

Published (Posted on): October 23, 2018

Submission Deadline: November 1, 2018 @ 4:30 PM in the Afternoon (UTC+00:00) Accra/Monrovia Time Zone

Note: those who submit afterwards will automatically be rejected. Proposers are strongly advised to meet the submission deadline and avoid IT related glitch while sending to secured email at last hour due to File size limitation, internet down,

**United Nations Development Programme (UNDP)
Accra, Ghana
October 23, 2018**



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INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Procurement Notice Ref. No.: UNDP.GHA.2018.243.IC

Date: October 23, 2018

Country: Ghana
Description of the Assignment: Recruitment of Individual Consultant to support the Legal Aid Commission to Draft legislative instructions for the implementation of the Legal Aid Commission ACT.

Project Name/Title: Rights Protection

Post Title: National Consultant

Period of Assignment/Services: 30 working Days (starting from 7th November 2018 to 18th January 2019)

Proposal should be submitted no later than **November 1, 2018 at 4:30 PM in the Afternoon, UTC+00:00 Accra/Monrovia Time Zone** via the secure email address:

bids.gh@undp.org

Your technical and financial proposals shall be sent **into two separate files but in one email** under Subject Line: **UNDP.GHA.2018.243.IC**

The File Name for Technical and Financial Proposals MUST BE:

- 1. For Technical: UNDP.GHA.2018.243.IC- TP - [insert your name]**
- 2. For Financial – UNDP.GHA.2018.243.IC- FP - [insert your name]**

Any request for clarification and/or additional information on this Procurement Notice shall be sent in writing to UNDP Ghana Country Office or send standard electronic communication to the Contact Person e-mail at procurement.gh@undp.org **(please note that it is only dedicated for enquiry and confirmation for proposal submission. Do not submit both Technical and Financial proposals to this account. If you do so, your proposals will be rejected, and UNDP will not be accountable for it).** While the Procurement Unit would endeavour to provide clarification expeditiously, only requests receiving at least 5 days period to the submission deadline will be entertained. The procuring UNDP entity will respond in writing by standard electronic mail, including an explanation of the query without identifying the source of inquiry, to all consultants. Any delay in providing such information will not be considered as a reason for extending the submission deadline.

I. BACKGROUND

The Legal Aid Scheme is mandated under the Legal Aid Scheme Act, 1997 (ACT 542) to provide legal assistance to the poor and indigent as well as other persons in the prosecution and defence of their rights in accordance with articles 14,17 and 294 of the Constitution of Ghana. This forms part of efforts to ensure, that under the current constitutional dispensation, the rule of law and access to justice is extended to the poor and vulnerable.

Since the passage of the Legal Aid Scheme ACT, 1997 (ACT 542), several improvements have been made in the access to justice practice and international legal aid delivery. However, these changes are not reflected in the ACT 542 and hence have created gaps in its implementation. The white paper on the report of the Constitutional Review Committee, which was published in June 2012 indicated government's acceptance of the recommendation for the Legal Aid Scheme to be established as an independent constitutional body and funded in same manner as other independent constitutional bodies.

In line with the recommendation and International best practice; the Parliament of Ghana, which the Constitution imposes an obligation on under Article 294(1) to (3) to enact legislation to regulate the granting of legal aid, in July 2018 passed a new Legal Aid Commission Bill (currently awaiting Presidential Assent) to facilitate efficient and effective delivery of legal aid in Ghana.

The Commission with the support of the United Nations Development Programme (UNDP) therefore seeks the services of a Consultant to support the Legal Aid Commission for the development of instructions to facilitate the drafting of a Legislative Instrument for the implementation of the Legal Aid Commission Act, 2018 by the office of the Attorney General and Minister for Justice.

For detailed information, please refer to Annex I- Terms of Reference (ToR)

II. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION

The consultant in close consultation with the Legal Aid Commission will develop a draft Legislative Instrument for the Legal Aid Commission Bill and perform the following tasks

- a. .
 - i) Review and analyse the regulatory power under the LAC Bill
 - ii) Conduct consultations with the Board of the Legal Aid Commission, key staff and other stakeholders delivering legal aid in Ghana to obtain legislative instructions
 - iii) Produce zero draft instructions
 - iv) Produce second draft of the LI to the Commission incorporating inputs from LAC and other stakeholders on the draft
 - v) Facilitate a validation meeting with the Legal Aid Board and Key Staff and incorporate relevant inputs and recommendations into the legislative instructions
 - vi) Submit the final draft legislative instructions to the Legal Aid Commission
 - vii) Produce end of assignment report

For detailed information, please refer to Annex I- Terms of Reference (ToR)

III. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

a. Academic Qualifications:

The successful consultant must possess the following:

- Master's Degree or equivalent in Law, Public Administration, Social Sciences, Governance or related field.
- At least seven (7) years' experience in legislative drafting. The consultant must provide information to indicate qualification to perform the task
- Ability to co-ordinate and moderate the relevant deliberations on the proposed legislation and facilitate multi stakeholder groups on the subject matter.
- Documentary evidence of the experience and information on similar assignments undertaken by the consultant

Core Competencies:

- Ability to manage time effectively and adhere to deadlines
- Excellent written and communication skills
- Must be a computer literate
- A strong team player

Important Note:

The Consultant is required to have the above mentioned professional and technical qualifications. Only the applicants who hold these qualifications will be shortlisted and contacted.

IV. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE TECHNICAL PROPOSALS

Interested offeror/Individual Consultant (IC) must submit the following documents before the deadline stipulated in the IC Procurement Notice. Such documents are:

- Technical Proposal as per the prescribed format (see template in Annex II), which includes Duly Signed Offeror's Letter to UNDP Confirming Interest and Availability and Duly Signed Personal CV
- Financial Proposal as per prescribed format (see template in Annex III)
- **All Academic Certificates**

V. FINANCIAL PROPOSAL

LUMP-SUM CONTRACTS

The Financial Proposal shall specify a total lump-sum amount **all-inclusive**, 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 travel, 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 (BU) and Individual Consultant, prior to travel and will be reimbursed.

VI. EVALUATION

Upon the advertisement of the Procurement Notice, qualified Individual Consultant is expected to submit both the Technical and Financial Proposals. Accordingly; Individual Consultants will be evaluated based on Cumulative Analysis as per the following scenario:

- Responsive/compliant/acceptable, and
- Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation. In this regard, the respective weight of the proposals are:
 - a. Technical Criteria weight is 70%
 - b. Financial Criteria weight is 30%

Criteria	Weight	Max. Point
Technical Competence (based on CV, Proposal and interview (if required))	70%	
Qualification of consultant <ul style="list-style-type: none"> ▪ Academic qualification 		10 pts*
Professional experience of consultant <ul style="list-style-type: none"> ▪ Relevant previous experience in legal matters, development and human rights or related field (15) ▪ Excellent written, communication and coordination skills (5 marks) ▪ Experience in drafting regulations (15) 		35 pts*
<ul style="list-style-type: none"> ▪ Understanding of scope of work demonstrated through detailed and comprehensive plan and approach for the development of the Legislative Instructions 		25 pts *
Financial (Lower Offer/Offer*100)	30%	30
Total Score	Technical Score * 70% + Financial Score * 30%	

* It is mandatory criteria and shall have a minimum of 50%

Evaluation legend:

Weight per Technical Competence	
Weak: below 70%	The individual consultant/contractor has demonstrated a WEAK capacity for the analyzed competence
Satisfactory: 70-75%	The individual consultant/contractor has demonstrated a SATISFACTORY capacity for the analyzed competence
Good: 76-85%	The individual consultant/contractor has demonstrated a GOOD capacity for the analyzed competence

Weight per Technical Competence	
Very Good: 86-95%	The individual consultant/contractor has demonstrated a VERY GOOD capacity for the analyzed competence
Outstanding: 96-100%	The individual consultant/contractor has demonstrated an OUTSTANDING capacity for the analyzed competence.

ANNEXES

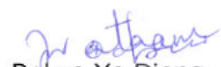
ANNEX I - Terms of References (ToR)

ANNEX II - Technical Proposal along with Offeror's Letter to UNDP Confirming Interest and Availability

ANNEX III - Financial Proposal

ANNEX IV - General Conditions of Contract: For the Services of Individual Contractors (IC)

Yours sincerely



Rokya Ye Dieng
Deputy Country Director - Operations

INSTRUCTION TO OFFERORS

No.	Data	Specific Instructions / Requirements
1	Location of Work:	<input checked="" type="checkbox"/> Please refer to the ToR
2	Language of the Proposal:	<input checked="" type="checkbox"/> English
3	Period of Proposal Validity commencing on the submission date	<input checked="" type="checkbox"/> 120 days
4	Preferred Currency of Proposal	<input checked="" type="checkbox"/> Local Currency (Ghana cedis)
5	Deadline for submitting requests for clarifications/questions	<input checked="" type="checkbox"/> Five (5) days before the submission date
6	Contact Details for submitting clarifications/questions	<input checked="" type="checkbox"/> Focal Person in UNDP: Procurement Team <input checked="" type="checkbox"/> E-mail address dedicated for this purpose: procurement.gh@undp.org (only for enquiry/request for clarification) <input checked="" type="checkbox"/> Any delay in UNDP's response shall be not used as a reason for extending the deadline for submission, unless UNDP determines that such an extension is necessary and communicates a new deadline to the Proposers.
7	Manner of Disseminating Supplemental Information to the IC and responses/clarifications to queries	<input checked="" type="checkbox"/> Direct communication to prospective Bidders by email <input checked="" type="checkbox"/> Direct communication to prospective Bidders by email, and Posting on the http://procurement-notice.undp.org/ on which the captioned IC Notice was posted
8	Allowable Manner of Submitting Proposals	<input checked="" type="checkbox"/> Electronic submission of Bid
9	Proposal Submission Address	<input checked="" type="checkbox"/> Via our secured mail address: bids.gh@undp.org
10	Deadline of Submission	<input checked="" type="checkbox"/> Date and Time: November 1, 2018 @ 4:30 PM in the Afternoon <input checked="" type="checkbox"/> Time Zone: (UTC+00:00) Accra/Monrovia
11	Conditions and Procedures for electronic submission and opening, if allowed	<input checked="" type="checkbox"/> Official Address for e-submission: bids.gh@undp.org <input checked="" type="checkbox"/> Free from virus and corrupted files <input checked="" type="checkbox"/> Format: PDF files only and Financial Proposal shall be password protected

No.	Data	Specific Instructions / Requirements
		<ul style="list-style-type: none"> ☒ Password for Financial Proposal will be requested from those Proposers whose Technical proposals found to be Technically responsive by respective Technical Panel appraisal. ☒ UNDP Ghana Office uses Adobe PDF reader version 9 and Microsoft 2007 & Microsoft 2010 ☒ For electronically transferred data, the maximum capacity is 9MB. Thus, if the size of the file is greater than 9MB attach them with two or more email. ☒ No. of copies to be transmitted: only One, do not send the proposals time and again to avoid confusion in locating the right proposals. UNDP/Procurement Unit will not be liable for failing to locate a right proposal owing to repetitively sending revised proposals. ☒ Subject of email (Mandatory): your proposals shall be sent into two separate files but in one email under Subject Line: UNDP.GHA.2018.243.IC ☒ Proposals File Name (Mandatory): The File Name for Technical and Financial Proposals MUST BE: <ul style="list-style-type: none"> 3. For Technical – UNDP.GHA.2018.243.IC- TP - [insert your name] 4. For Financial – UNDP.GHA.2018.243.IC- FP - [insert your name] ☒ For failing and/or incorrectly state the above subject line may result in failing to exactly locate your proposals as the Procurement Unit processes several of such type proposal invitations at a time and will not be liable for any consequences thereof. ☒ COMPULSORY: Once you submitted your proposals electronically to designated Secured Email, kindly confirm same (without attaching the proposals for the purpose keeping its integrity) to the Focal Person. The Attn: Procurement Team at procurement.gh@undp.org Your confirmation is important in order to ensure all Proposing Firms' Quotations are not missed and considered for subsequent Technical Evaluation.
13	Evaluation method to be used in selecting the most responsive Proposal	<ul style="list-style-type: none"> ☒ Combined Scoring Method, using the 70%-30% distribution for Technical and Financial proposals, respectively, where the minimum passing score of technical proposal is 70%
14	Post-Qualification Actions	<ul style="list-style-type: none"> ☒ Inquiry and background checking with referees or any other entity that may have done business with the offeror.