

INDIVIDUAL CONSULTANT PROCUREMENT NOTICE



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Date: November 5, 2018

Reference: ETH/IC/2018/074

Country:	Ethiopia
Description of the assignment:	Recruitment of Short Term Individual Consultant for the Office of Attorney General
Project/Program Title:	Governance and Democratic Participation Programme
Post Title:	National Consultant for Judicial Affairs
Consultant Level:	Level B (Specialist)
Duty Station:	Addis Ababa
Expected Places of Travel:	None
Duration:	Twelve months
Expected Start Date:	Immediately after concluding contract agreement

Proposal should be submitted by our secured e-mail: procurement.et@undp.org before Wednesday **14th November 2018 11:59PM** Addis Ababa Local Time.

OR

Contact Person :	MY – Procurement Unit info.procurementet@undp.org (ONLY for Clarification)
Name of Office:	United Nations Development Programme (UNDP) ECA Compound Old Bld. 6th floor, North Wing Addis Ababa, Ethiopia
P.O. Box:	5580
Fax	+251 11 5514599 / +251 11 5515147

Any request for clarification must be sent in writing, or by standard electronic communication to the address or e-mail indicated above *the Procurement specialist or assigned personnel for this task* 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 Legal and Justice Affairs Advisory Council is established in 2018 by the Office of the FDRE Attorney General to advise the Ethiopian Government in its pursuit of a comprehensive reform of the legal and justice system. It is instituted by Directive No.1/2018 of the Office of the Attorney. The reform of the legal and justice system, which is part of the broader reform initiative of the government will be spearheaded by The Legal and Justice Affairs Advisory Council. The primary role of the council is to advise the Ethiopian Government in its pursuit to:

- undertaking a rigorous assessment of laws, institutional set-ups, performances and competence of the justice system and select democratic governance institutions;
- identifying/analyzing/collating the key challenges encountered in realizing an accountable public administration system, rule of law and full implementation of constitutionally guaranteed rights; and
- proposing to the Office of the Attorney General highly-researched, pragmatic and programmatic reform packages that address the legal and institutional shortcomings.

The council, comprises of thirteen legal professionals, has endorsed a strategic roadmap that charts out its core activities for the coming three years and also set up a Secretariat. The Secretariat, which is led by the Head and two Program Directors, shall be staffed with highly competent and experienced legal professionals serving as sub-program managers, officers and adequate pool of support personnel.

The programmatic focus of the Council and the organization of the Secretariat responds to core needs identified by the Government of Ethiopia on the eight designated sub-programs of the national reform agenda; namely: Legal Reform, Law Making Process, Judicial System, Criminal Justice System, Civil and Administrative Justice System, Democratic Institutions, Legal and Related Services, and Legal Training and Education. The Judicial Reform initiative, headed by the secretariat, will have professionals with expertise in law making, legal and public administration areas for advising and supporting the Secretariat and its various Technical Working Groups on day-to-day basis during a diagnostic study and also revisions of laws and justice systems.

Against this backdrop, the Government of Ethiopia, through the Office of Attorney General expressed interest to collaboratively work with UNDP including the provision of a short-term technical assistance that would assist the government in materializing this vision. Inspired by the government's swift and bold move to reforms on various fronts, UNDP has committed to provide Technical Assistance (TA) on selected areas, among which judicial reform is one.

For detailed information, please refer to the TOR in Annex 1

2. Objective of the Assignment

The main objectives of the consultancy service are to support the work of the Secretariat of the Legal and Justice Affairs Advisory Council. The consultant will:

- Provide research and technical assistance in the development of the normative framework that should guide the diagnostic study of the working groups;
- Support the implementation of the activities of the working groups in relation to their

respective sub-program; and

- Support the implementation of specific program components as relating to Judicial System reform
- Provide policy and technical advisory services to the Government and UNDP.

For detailed information, please refer to the TOR in Annex 1

3. Functions/Key Results Expected

Officially reporting to the Head of the Secretariat, the consultant will be primarily responsible for facilitating the work of the Working Group on Justice Affairs towards undertaking diagnostic study and developing the normative frameworks that should govern the Justice Institutions, and for the implementation of specific program components as relates judicial reforms.

Key Functions:

- Provide operational assistance to Technical Working Groups through improved coordination and facilitation of work streams;
- Assist the implementation of the transformational agenda deliverables, sub-deliverables and activities of the working groups they are assigned to;
- Provide input and assistance in the design of annual plans and activity programs, in preparing and soliciting budgets and associated resources, in the implementation of general and specific program components, and in providing regular reports (on operations, progresses and challenges);
- Provide high-calibre professional support to implementation of the eight sub-programs of the legal and justice reform – particularly by providing expertise and research assistance to the working groups;
- Assist Program Managers in the day-to-day operation of program pillars they are assigned to work on;
- Provide research assistance in diagnostic studies and development of recommendations that are within the purview of the reform program and relate to work-flows, performance, procedures or processes that impede the effective implementation of tasks;
- undertaking a rigorous assessment of laws, institutional set-ups, performances and competence of the justice system and select rule of law and justice institutions;
- identifying/analyzing/collating the key challenges encountered in realizing an accountable public administration system, rule of law and full implementation of constitutionally guaranteed rights; and
- proposing to the Secretariat of the Legal and Justice Affairs Advisory Council highly-researched, pragmatic and programmatic reform packages that address the legal and institutional shortcomings
- Prepare bi-monthly reports regarding the reform in the judicial sub-programs and working groups they are assigned to support-including status report, progress update for reporting period, challenges and suggested remedies, and projected activities for next reporting period;
- Discharge any other task as may be assigned by the Head of the Secretariat;

For detailed information, please refer to TOR in Annex 1

4. Competencies

Corporate Competencies:

- ❑ Demonstrates integrity by modelling the UNs core values and ethical standards;
- ❑ Promotes the vision, mission, and strategic goals of the UN;
- ❑ Displays cultural, gender, religious, racial, nationality and age sensitivity;

Functional Competencies:

Knowledge Management and Learning

- ❑ Promotes a knowledge sharing and learning culture;
- ❑ In-depth knowledge on issues of governance in general and rule of law and justice in particular;
- ❑ Ability to effectively engage with senior officials and advocate and provide policy advice;

Development and Operational Effectiveness

- ❑ Result oriented: ability to apply results-based management and reporting;
- ❑ Ability to analyse emerging trends, institutional and governance issues and present practical and actionable proposals and recommendations;
- ❑ Ability to provide evidence-based professional advice and to develop strategic policy options and proposals;
- ❑ Ability to effectively engage and maintain partnerships with key stakeholders;

Management and Leadership

- ❑ Focuses on impact and results for the client and responds positively to feedback and guidance;
- ❑ Understands and applies appropriate team roles effectively and shows conflict resolution skills;
- ❑ Consistently approaches work with energy and positive and constructive attitudes;
- ❑ Demonstrates strong oral and written communication skills;
- ❑ Builds strong relationships with clients and external partners and actors;
- ❑ Remains calm, in control and diplomatic even under pressure;

Demonstrates ability to manage complexities and to deliver under pressure

For detailed information, please refer to TOR in Annex 1

5. Required Qualifications

Education:

- LLM or equivalent field;
- Sound understanding of the Ethiopian justice and legal environment;

Experience:

- At least 6 years for LLM and 8 years for LLB professional work experience in law rendering services, in researches, teaching or consultancy setting
- Experience in multi-stakeholder facilitation and consensus building;
- Experience in legislative drafting and in undertaking legal or judicial reform work
- Experience in revise legal documents including analyses, and reports
- Experience in program/project management
- Strong understanding of and analytical skills in the political, economic and social dimensions of law in Ethiopia – mainly as relating to law-making processes, the administration of justice, and human and democratic governance system;
- Ability to thrive in fast-moving, start-up environment with emphasis on high-performance, teamwork, accountability and results;

- Ability to build relationships with all kinds of people;
- Strong set of personal values including integrity, honesty and desire to be of public service;

Language requirements: Fluency in English and Amharic.

For detailed information, please refer to TOR in Annex 1

6. Institutional Arrangement/Reporting Relationships

The IC will be based at the office of Attorney General and will be expected to closely work with the The Legal and Justice Affairs Advisory Council particularly Justice Reform Technical working group and regularly liaise with relevant senior officials, UNDP and other stakeholders. Functionally, s/he will be reporting to the Secretariat, occasionally liaising with the Governance Team within UNDP.

For detailed information, please refer to TOR in Annex 1

7. Duration of the Assignment

The engagement of the IC will be for twelve months.

Important Note:

Only the applicants who hold the above qualifications will be shortlisted and contacted.

For detailed information, please refer to TOR in Annex 1

8. Criterial for Selecting the Best Candidate

Applicants are expected to submit their CVs, Academic credentials, Work Certifications and any other relevant credentials.

Qualified Individual Consultants (ICs) are expected to submit both the Technical and Financial Proposals. The technical proposal should include how the IC will deliver the expected key functions listed on the ToR and month-by-month breakdown of the activities. The financial proposal should show how the IC's proposed rate on a monthly basis.

Shortlisting will be made by the GCDU unit and UNDP CO Procurement Team. The following criteria will be followed in selecting the best candidate.

Criteria	Weight	Max. Point
Technical Competence (based on Credentials and Technical proposal)	70%	100
Criteria a. [Experience and skills mix]		20
Criteria b. [Methodology for undertaking assignment]		40
Criteria c. [Motivation]		10
Financial (Lower Offer)	30%	20
Total Score	Technical Score (70%) + Financial Score (30%)	

For detailed information, please refer to TOR in Annex 1

9. Ethical Considerations, Confidentiality and Proprietary Interests

- The consultant needs to apply standard ethical principles during the course of the assignment. Some of these must deal with confidentiality of interviewee statements when necessary, refraining from making judgmental remarks about stakeholders.
- The consultant shall not either during the term or after termination of the assignment, disclose any proprietary or confidential information related to the consultancy service without prior written consent by the contracting authority. Proprietary interests on all

materials and documents prepared by the consultants under this assignment shall become and remain properties of the Government of Ethiopia and UNDP.

For detailed information, please refer to TOR in Annex 1

10. Deliverables

A short monthly report on progress.

For detailed information, please refer to TOR in Annex 1

11. How to Apply

Interested consultant with required qualification and experience must submit their applications on line as per the following **email: procurement.et@undp.org**

For detailed information, please refer to TOR in Annex 1

12. Recommended Presentation of Proposal

For purposes of generating proposals whose contents are uniformly presented and to facilitate their comparative review, you are hereby given a template of the Table of Content. Accordingly; your Technical Proposal document must have at least the following preferred content and shall follow its respective format/sequencing as follows.

Proposed Table of Contents	Page
TECHNICAL PROPOSAL COVER PAGES	
Cover Page (use the template hereto)	
Cover Letter (use the template hereto)	
Statement of Declaration (use the template hereto)	
SECTION I. TECHNICAL PROPOSAL SUBMISSION FORM	
1.1 Letter of Motivation	
1.2 Proposed Methodology	
1.3 Past Experience in Similar Consultancy and/or Projects	
1.4 Implementation Timelines	
1.5 List of Personal Referees	
1.6 Bank Reference	
SECTION II. ANNEXES	
Annex a. Duly Signed P11 (use the template hereto)	
Annex b. Duly Signed Personal CV's	

Financial Proposal

LUMP-SUM CONTRACTS

- The Financial Proposal shall specify a total lump-sum amount **all-inclusive**¹, 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. 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.

¹ The term "All inclusive" implies that all costs (professional fees, travel costs, living allowances, communications, consumables, etc.) that could possibly be incurred by the Contractor are already factored into the final amounts submitted in the proposal

- 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.

For detailed information, please refer to TOR in Annex 1

Note: Submission of Technical and Financial proposal is mandatory. Failing to submit one of the proposals will be automatically disqualified.

Submission Through our secured email

- The proposal must be prepared in English. Failing to do so will make the proposal automatically disqualified
- You shall send your proposals through our secured email: [**procurement.et@undp.org**](mailto:procurement.et@undp.org)
- Your proposals shall be sent in a **separate email** as Technical and Financial proposals under subject line:
 1. For Technical: Technical Proposal – **ETH-IC-2018-074 – National Consultant for Judicial Affairs-** [\[insert your name\]](#)
 2. For Financial: Financial Proposal – **ETH-IC-2018-074 – National Consultant for Judicial Affairs -** [\[insert your name\]](#)
- All prices/rates quoted must be in **ETB and exclusive of VAT and all taxes**, since the UNDP is exempt from taxes.

ANNEX

ANNEX 1: TERMS OF REFERENCES (TOR)

ANNEX 2: TECHNICAL PROPOSAL COVER PAGE AND SUBMISSION FORM

ANNEX 3: FINANCIAL PROPOSAL COVER PAGE AND SUBMISSION FORM

ANNEX 4: GENERAL CONDITIONS OF CONTRACT FOR IC

Annex 1

TERMS OF REFERENCES (TOR)

Attached as a supporting document in this procurement notice under:
Annex 1-ToR for National Consultant for Judicial Affairs

Annex 2

TECHNICAL PROPOSAL

Cover Page

**IC Reference: ETH-IC-2018-074 – National Consultant for
Judicial Affairs**

Prepared by: _____

Date: _____

TECHNICAL PROPOSAL SUBMISSION FORM

Proposed by: [\[insert your name\]](#)

Directions:

- a. Briefly **explain why you are the most suitable for the consultancy service** you applied for. It should not be more than four hundred fifty words.
- b. Provide a **detailed approach and/or methodology** you plan to apply or conduct the work in due course of offering prescribed consultancy service and/or works.
- c. Include your **proposed work plan** which shall be supported by Gantt chart to indicate the timeframe to complete the tasks and/or activities indicated in your proposed methodology above.
- d. **Past experience in similar projects and/or consultancy services** and their respective contract person name and address.
- e. **List of three personal referees** in terms of their title (position), where they work, email, and telephone address
- f. It must be prepared in **English**.

Annex 3

FINANCIAL PROPOSAL

Cover Page

**IC Reference: ETH-IC-2018-074 – National Consultant for
Judicial Affairs**

Prepared by: _____

Date: _____

FINANCIAL PROPOSAL SUBMISSION FORM

Proposed by: [\[insert your name\]](#)

Directions:

- a. The financial proposal shall specify a **total lump sum amount (including travel, per diems, and number of anticipated working days)**
 - b. Payments are based upon output, i.e. upon specific and measurable (qualitative and quantitative) deliverables (as indicated in Section II hereunder) of the services specified in the ToR.
 - c. Failing to submit one of the two Sections hereunder and/or incomplete information will make the proposal automatically disqualified.
 - d. You must send this proposal separately together with Technical Proposal through **our secured email procurement.et@undp.org** in a **PDF FORMAT**
-

I. BREAKDOWN OF COST BY COMPONENTS:

Cost Components	Unit Cost	Quantity	Total Rate for the Contract Duration in ETB
Personnel Costs			
Professional Fees			
Life Insurance [if you find it applicable]			
Medical Insurance [if you find it applicable]			
Communications [if you find it applicable]			
Land Transportation [if you find it applicable]			
Others [pls. specify]			
Travel Expenses to Join duty station			
Round Trip Airfares to and from duty station [if you find it applicable]			
Living Allowance [if you find it applicable]			
Travel Insurance [if you find it applicable]			
Terminal Expenses [if you find it applicable]			
Others [pls. specify]			
Duty Travel			
Round Trip Airfares [if you find it applicable]			
Living Allowance [if you find it applicable]			
Travel Insurance [if you find it applicable]			
Terminal Expenses [if you find it applicable]			
Others:			
AGGREGATE Lump Sum AMOUNT in ETB			

Amount in Words: [Insert the total amount in words]

II. BREAKDOWN OF COST BY DELIVERABLES*

No.	Deliverables [list them as referred to in the TOR]	Percentage of Total Price (Weight for payment)	Amount (in ETB)
1	Short Monthly report on Progress	Monthly	
2	Short Monthly report on Progress	Monthly	
3	Short Monthly report on Progress	Monthly	
4	Short Monthly report on Progress	Monthly	
5	Short Monthly report on Progress	Monthly	
6	Short Monthly report on Progress	Monthly	
7	Short Monthly report on Progress	Monthly	
8	Short Monthly report on Progress	Monthly	
9	Short Monthly report on Progress	Monthly	
10	Short Monthly report on Progress	Monthly	
11	Short Monthly report on Progress	Monthly	
12	Short Monthly report on Progress	Monthly	
Total Lump Sum Amount in ETB		100%	

*Basis for payment tranches

Full Name: _____

Signature: _____

Date Signed: _____

Annex 4

GENERAL CONDITIONS OF CONTRACT For the Services of Individual Contractors (IC)

Attached as a supporting document in this procurement notice.

Annex 4-General Conditions of Contract-Individual Contractors(IC)