

INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: November 28, 2018

Procurement Notice Reference No.:	ETH/IC/2018/087
Country:	Ethiopia
Services/Work Description:	National Consultant for providing technical support to key Justice Sector institutions, and more specifically to the Supreme Court
Project/Program Title:	Governance and Democratic Participation Programme
Post Title:	National Consultant-Justice Sector Expert
Duty Station:	Addis Ababa
Expected Places of Travel:	Selection Regions (TBC)
Duration:	Six months
Expected Start Date:	Immediately after Signing the Contract

The United Nations Development Programme (UNDP) is currently implementing a project ***Preventing Violent Extremism in Ethiopia*** that requires the services of an individual to perform the work described in the corresponding TORs.

Proposal should be submitted through the online eTendering system

<https://etendering.partneragencies.org> search for Event ID **0000003166 (re-advert with 3224)** as per the deadline indicated in the system itself. Detailed user guide on how to register in the system and submit the proposal are attached to this notice.

Any request for clarification must be sent in writing, or by standard electronic communication to info.procurementet@undp.org **Attn: MY**. UNDP will provide responses by uploading them in the system.

In consideration of your qualifications, we are hereby inviting you to submit an offer for this particular assignment. To assist you in understanding the requirements of this assignment, we have attached hereto the following:

- The Terms of Reference for the assignment described above;
- The standard Letter of Confirmation of Interest and Availability, which you must accomplish and submit to UNDP; and
- The Individual Contract and its General Terms and Conditions, which you would be expected to sign in the event you are the selected Offeror in this procurement process.

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

- Letter of presentation highlighting main qualifications and experience relevant to this TOR;
- CV or P11 form;
- Copy of education certificate;
- Completed financial proposal.
- **Any other as relevant**

FINANCIAL PROPOSAL

- **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 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 and Individual Consultant, prior to travel and will be reimbursed.

Terms of reference



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1) BACKGROUND

Since 1995, Ethiopia has adopted a multiparty parliamentary system and a federal structure devolving power to nine regions and two city administrations. It has embarked on a process of capacitating the governance architecture; reforming the civil service, building capacity of democratic institutions, strengthening rule of law, deepening decentralization and improving the delivery of basic services. Gains were recorded in broadening opportunities for political participation, advancing human rights and rule of law and improving democratic practice. Nonetheless, and despite notable progress recorded, there is a long way to go in terms of ensuring good governance, consolidating democracy, rule of law, protection of human rights, prevention of violent conflicts, managing diversity and promoting social cohesion.

Since his ascendancy to the helm of power in Ethiopia, Prime Minister (PM) Dr. Abiy Ahmed has launched a series of bold and comprehensive reforms unprecedented in the history of the country. At the heart is the goal to promote sustainable peace, reconciliation, and inclusion in Ethiopia; strengthen justice and the rule of law, accountable systems of governance, and improve the democratic space to accommodate all peoples, interests, and views in Ethiopia; and promote economic integration for peace and prosperity with Eritrea and in the Horn of Africa region.

On the rule of law, the PM has embarked on repealing some of the most contested laws, and justice reforms more broadly. He established the Legal and Justice Affairs Advisory Council (LJAAC), under the leadership of the Attorney General's Office (AGO) with primary mandate in enhancing legal reform and making the justice sector independent and credible, to restore public confidence in the judicial system and the rule of law.

More recently, the election of the new Chief Justice (a woman for the first time in Ethiopia's history) was also notable in an attempt to ensure a new influx of dynamism into the judiciary branch of government and reconfirming a clear investment in rule of law and access to justice.

UNDP is engaged with the Supreme Court, the OAG and the LJAAC in justice sector reform activities and intends to deepen its partnership through the mobilization of a National Justice Sector Expert who would provide technical support to key Justice Sector institutions, and more specifically to the Supreme Court. The Justice Sector Expert will also work in close collaboration with the UNDP Country Office, particularly with the Governance team, to identify policy and programming opportunities for the CO engagement on Justice Sector Reform, including the development of a justice sector reform programme. S/he will enable

the Government of Ethiopia – the Supreme Court in particular – to ensure modern Rule of Law Standards and practices are included in the national strategic interventions and that a clearer strategic visioning of Justice Sector Reform is articulated.

2) SCOPE OF THE WORK

The scope of the work and the tasks that national justice sector consultant is supposed to perform are:

- 1) Develop an Inception Report** based on a comprehensive literature review, identifying the methodological approach to be followed in the implementation of the assignment. The Inception Report will also include a timeline for the implementation of the various deliverables below featured.
- 2) Support the Supreme Court in developing its ‘100-day plan’ and ‘Achievements Dashboard’, and support the implementation of quick-wins:**
 - Engage with senior leadership of the Supreme Court and facilitate the identification of key priority areas for judiciary reform, substantiated with strong analytical work and evidence;
 - Identify quick-wins and high impact activities to be included in the 100-day Plan and achievements dashboard of the Supreme Court and support the implementation of the plan/dashboard, which would include measurable indicators of performance and a clear communication and information dissemination plan/activities;
 - Draft a policy note that presents recommendations for the Supreme Court to consider as priority areas for internal institutional enhancement/restructuring and support their implementation;
- 3) Support the Supreme Court re-structure the Justice Sector Steering Committee and support the re-engagement of all key actors in the coordination structure**
 - Assess and evaluate the structure and mandate of the Justice Sector Steering Committee and draw lessons learned to be presented to the Chief Justice;
 - Review and provide recommendations for improvements/redraft to the Terms of Reference (ToR) and composition/membership of the Steering Committee;
 - Engage with key justice sector actors in order to ensure buy-in to the new and revamped coordination structure as approved by the Chief Justice;
 - Prepare and deliver technical inputs/presentations to support the work of the Steering Committee as required;
 - Coach Supreme Court department/unit assigned to take over the secretarial support to the Steering Committee. This would include developing agendas and drafting minutes of meetings;
 - Support the Supreme Court to disseminate and effectively communicate on the work of the Steering Committee.
- 4) Provide technical guidance and inputs to the design and implementation of the justice sector reform strategy through performing needed analysis and assessment:**
 - Synthesize previous/past assessments and strategies and distill in an analytical report lessons learned and action points that are still of relevance to the current context;
 - Identify data/evidence gaps that would require to be gathered and work jointly with the international expert to identify most suitable methodologies and approaches to gathering required data, including if needed implementing a comprehensive justice sector assessment;

- Facilitate consensus among National Counterparts, within the framework of the Steering Committee, on the scope and the parameters of the justice sector assessment to be considered;
- Design the Justice Sector Assessment, ensuring full buy-in from national counterparts, UN agencies and key development partners (joint activity with the international expert);
- Ensure appropriate mainstreaming of human rights principles and standards and gender responsive approach in the methodology of assessments/data gathering endeavors;
- Provide technical support and guidance during the implementation phase;
- Support the Steering Committee in reviewing the initial assessment to decide on the pillars for the justice sector reform strategy;
- Coordinate among the sector to ensure appropriate engagement of all relevant stakeholders and civil society partners.
- Support the Steering Committee, led by the Supreme Court, to develop an operationalization plan for Justice Sector Reform and engage in its implementation.

The expert is expected to have a high level of adaptability to changes in the context. It is expected that s/he would adjust her/his deliverables to address emerging priorities, as defined by the leadership of the Justice Sector Steering Committee.

3) EXPECTED OUTPUTS AND DELIVERABLES

The expert will specifically focus on achieving the following key outputs and deliverables in close consultation with national counterparts, relevant technical staff and senior management of the Country Office:

- 1) Support the Supreme Court in developing its '100-day plan' and 'Achievements dashboard', and support the implementation of specific quick-wins;
- 2) Support the Supreme Court re-structure the Justice Sector Steering Committee and support the re-engagement of all key actors in the coordination structure;
- 3) Provide technical guidance and inputs to the design and implementation of the justice sector reform strategy through performing needed analysis and assessments.

No.	Deliverables / Outputs	Estimated Duration to Complete	Review and Approvals Required
1	Support the Supreme Court in developing its '100-day plan' and 'Achievements dashboard', and support the implementation of specific quick-wins;	40 working days (10 weeks)	Supreme Court, Governance and Capacity Development
2	Support the Supreme Court re-structure the Justice Sector Steering Committee and support the re-engagement of all key actors in the coordination structure;	40 working days (8 weeks)	Supreme Court, Governance and Capacity Development

3	Provide technical guidance and inputs to the design and implementation of the justice sector reform strategy through performing needed analysis and assessments.	52 working days (10 weeks)	Supreme Court, Governance and Capacity Development
		132 Working days (6 months)	

4) INSTITUTIONAL ARRANGEMENT / REPORTING RELATIONSHIPS

The Individual National Consultant will be based at Addis Ababa and will be expected to closely work technical support to key Justice Sector institutions, and more specifically to the Supreme Court to provide technical support. Functionally, s/he will be reporting to the Governance Team Leader within UNDP, occasionally liaising with Country Director, and assisted by the Country Office's governance team.

5) LOGISTICS AND ADMINISTRATION SUPPORT TO PROSPECT IC

The selected National Justice Sector Expert will be based at the Supreme Court. S/he will need to report to the Supreme Court on daily basis during the duration of the assignment and abide by official working hours.

The Expert is expected to arrange and cover for her/his transportation from and to the Supreme Court. The Expert will be responsible for paying income tax, as applicable, to the Government of Ethiopia.

6) DURATION OF ASSIGNMENT, DUTY STATION AND EXPECTED PLACES TO TRAVEL

The assignment is for duration of six months. The duty station of the national consultant is Addis Ababa, Ethiopia; with possible travel to the regions as needed.

7) REQUIRED EXPERTISE AND QUALIFICATIONS

a) Education:

- Advanced university degree in Law.

b) Work Experience

- 10 years of relevant experience working in the justice sector;
- Relevant experience working on justice sector, access to justice and human rights at high level state institutions, including oversight bodies;

- Proven experience of working with high-level national counterparts and capacity to deliver strategic advice;
- Strong knowledge of Ethiopia's governance system and the recent reforms is a must;
- Proven record and experience in assessment methodologies and drafting of analytical research reports and project design.
- Past experience in the judiciary is a distinct advantage;
- Experience in working with the United Nations is advantageous.

c) Languages

- Fluency in Amharic and English, written and spoken.

d) Functional / Technical Knowledge:

- Excellent written communication skills in Amharic and English, including editing;
- Excellent time management and ability to produce outputs as per agreed deadlines.
- Ability to work seamlessly in a multi-cultural environment.
- Ability to design UNDP projects according to UNDP's rules and regulations.

e) Core 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 media 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;

Important Note:

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

8) CRITERIA FOR SELECTING THE BEST OFFER

Qualified Individual Consultants (ICs) are expected to submit **Technical** and **Financial Proposals**. Only applicants who fulfil the qualifications will be shortlisted and contacted.

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 is:

- a. Technical Criteria weight is **70%**;
- b. Financial Criteria weight is **30%**.

Selection Criteria:

Criteria	Weight	Max.
Point Technical Competence (based on CV, proposal & Interview (if required))	70%	70
• Criteria a: Minimum educational background		15
• Criteria b: Experience in similar projects and contracts		15
• Criteria c: Understanding the Scope of Work and Methodology)		25
• Criteria d: Analytical and writing/communication Skills		15
Financial (Lower Offer/Offer *100)	30%	30
Total Score= Technical Score *70% + Financial Score * 30% =100%		

9) PAYMENT TERMS

Payment will be based on deliverables. A detailed work plan will be developed and agreed to break down the deliverables and the associated cost. Based on assessment of performance and deliverables, the national Justice Sector Consultant will get its payment on monthly basis.

10) RECOMMENDED PRESENTATION OF TECHNICAL PROPOSAL

Interested consultants with the required qualification and expertise must submit the following documents/information to demonstrate their qualifications:

1. Technical Proposal explaining why the applicant is the most suitable candidate for the work and providing a brief methodology on how they will approach and conduct the work (including a break-down of working days). The applicant/s must attach CVs of experts including experience in similar projects and at least 3 references;
2. Financial proposal, all included, such as professional fees, travel costs, etc. (in a separate e-mail)).

11) 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 UNDP.

12) HOW TO APPLY

Interested consultant with required qualification and experience must submit their applications before the deadline

OFFEROR'S LETTER TO UNDP CONFIRMING INTEREST AND AVAILABILITY FOR THE INDIVIDUAL CONTRACTOR (IC) ASSIGNMENT

Date _____

(Name of Resident Representative/Bureau Director)
United Nations Development Programme
(Specify complete office address)

Dear Sir/Madam:

I hereby declare that:

- a) I have read, understood and hereby accept the Terms of Reference describing the duties and responsibilities of [*indicate title of assignment*] under the [*state project title*];
- b) I have also read, understood and hereby accept UNDP's General Conditions of Contract for the Services of the Individual Contractors;
- c) I hereby propose my services and I confirm my interest in performing the assignment through the submission of my CV or Personal History Form (P11) which I have duly signed and attached hereto as Annex 1;
- d) In compliance with the requirements of the Terms of Reference, I hereby confirm that I am available for the entire duration of the assignment, and I shall perform the services in the manner described in my proposed approach/methodology which I have attached hereto as Annex 3 *[delete this item if the TOR does not require submission of this document]*;
- e) I hereby propose to complete the services based on the following payment rate: *[pls. check the box corresponding to the preferred option]*:
 - ☐ An all-inclusive daily fee of *[state amount in words and in numbers indicating currency]*
 - ☐ A total lump sum of *[state amount in words and in numbers, indicating exact currency]*, payable in the manner described in the Terms of Reference.
- f) For your evaluation, the breakdown of the abovementioned all-inclusive amount is attached hereto as Annex 2;
- g) I recognize that the payment of the abovementioned amounts due to me shall be based on my delivery of outputs within the timeframe specified in the TOR, which shall be subject to UNDP's review, acceptance and payment certification procedures;
- h) This offer shall remain valid for a total period of _____ days *[minimum of 90 days]* after the submission deadline;
- i) I confirm that I have no first degree relative (mother, father, son, daughter, spouse/partner, brother or sister) currently employed with any UN agency or office *[disclose the name of the relative, the UN office employing the relative, and the relationship if, any such relationship exists]*;
- j) If I am selected for this assignment, I shall *[pls. check the appropriate box]*:
 - ☐ Sign an Individual Contract with UNDP;

- ☐ Request my employer *[state name of company/organization/institution]* to sign with UNDP a Reimbursable Loan Agreement (RLA), for and on my behalf. The contact person and details of my employer for this purpose are as follows:

k) I hereby confirm that *[check all that applies]*:

- ☐ At the time of this submission, I have no active Individual Contract or any form of engagement with any Business Unit of UNDP;
- ☐ I am currently engaged with UNDP and/or other entities for the following work:

Assignment	Contract Type	UNDP Business Unit / Name of Institution/Company	Contract Duration	Contract Amount

- ☐ I am also anticipating conclusion of the following work from UNDP and/or other entities for which I have submitted a proposa:

Assignment	Contract Type	Name of Institution/ Company	Contract Duration	Contract Amount

- l) I fully understand and recognize that UNDP is not bound to accept this proposal, and I also understand and accept that I shall bear all costs associated with its preparation and submission and that UNDP will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the selection process.
- m) ***If you are a former staff member of the United Nations recently separated, pls. add this section to your letter:*** I hereby confirm that I have complied with the minimum break in service required before I can be eligible for an Individual Contract.
- n) I also fully understand that, if I am engaged as an Individual Contractor, I have no expectations nor entitlements whatsoever to be re-instated or re-employed as a staff member.

Full Name and Signature:

Date Signed:

Annexes *[pls. check all that applies]:*

- ☐ CV or Duly signed P11 Form
- ☐ Breakdown of Costs Supporting the Final All-Inclusive Price as per Template
- ☐ Brief Description of Approach to Work (if required by the TOR)

BREAKDOWN OF COSTS SUPPORTING THE ALL-INCLUSIVE FINANCIAL PROPOSAL

A. **Breakdown of Cost by Components:**

Cost Components	Unit Cost	Quantity	Total Rate for the Contract Duration
I. Personnel Costs			
Professional Fees			
Life Insurance			
Medical Insurance			
Communications			
Land Transportation			
Others (pls. specify)			
II. Travel Expenses to Join duty station			
Round Trip Airfares to and from duty station			
Living Allowance			
Travel Insurance			
Terminal Expenses			
Others (pls. specify)			
III. Duty Travel			
Round Trip Airfares			
Living Allowance			
Travel Insurance			
Terminal Expenses			
Others (pls. specify)			

B. Breakdown of Cost by Deliverables*

Deliverables <i>[list them as referred to in the TOR]</i>	Percentage of Total Price (Weight for payment)	Amount in ETB
Deliverable 1	Monthly	
Deliverable 2	Monthly	
Deliverable 3	Monthly	
Deliverable 4	Monthly	
Deliverable 5	Monthly	
Deliverable 6	Monthly	
Total	100%	ETB

**Basis for payment tranches*