

INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: December 21, 2018

Procurement Notice Reference No.: *ETH/IC/2018/098*

Country: *Ethiopia*

Services/Work Description:	Recruitment of Short Term Individual Consultant for the Office of Attorney General
Project/Program Title:	Governance and Democratic Participation Programme
Post Title:	Media Reform Consultant
Consultant Level:	Level B (Specialist)-National Consultant
Duty Station:	Addis Ababa
Expected Places of Travel:	-
Duration:	Twelve months
Expected Start Date:	Immediately after Signing the Contract

The United Nations Development Programme (UNDP) is currently implementing a project ***Governance and Democratic Participation Programme*** 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 **0000003246** 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:

- a) The Terms of Reference for the assignment described above;
- b) The standard Letter of Confirmation of Interest and Availability, which you must accomplish and submit to UNDP; and
- c) 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



Empowered lives.
Resilient nations.

GENERAL INFORMATION

Services/Work Description:	Recruitment of Short Term Individual Consultant for the Office of Attorney General
Project/Program Title:	Governance and Democratic Participation Programme
Post Title:	Media Reform Consultant
Consultant Level:	Level B (Specialist)
Duty Station:	Addis Ababa
Expected Places of Travel:	-
Duration:	Twelve months
Expected Start Date:	Immediately after Signing the Contract

I. BACKGROUND / PROJECT DESCRIPTION

Recently, the Government of Ethiopia (GoE) has embarked on reform processes in a number of areas including a comprehensive transformation of the country's communications and media sector. The ultimate objective of this reform initiative is to stimulate the growth of an independent, diverse and vibrant media sector by creating a conducive legal and institutional framework to enhance this development. The media reform initiative will imply transformative change in policy and laws as well as strengthen independent media institutions and improve media self-regulation.

The revision of media law, which is part of comprehensive reform of the legal and justice system will be spearheaded by The Legal and Justice Affairs Advisory Council which was established in 2018 by the Office of the FDRE Attorney General. 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.

Constituted of thirteen legal professionals, the Council has endorsed a strategic roadmap that charts out its core activities for the coming three years – and has furthermore set up a Secretariat. The Secretariat, which shall be supervised by the Head and two Program Directors, shall be

staffed with highly competent and experienced legal professionals serving as sub-program managers and officers and adequate pool of support personnel.

The legal reform initiative, headed by the secretariat, will have a professional with experience in media law who will advise and lead on the day-to-day basis the revision of laws related to media, institutional bottlenecks, and legal issues related to quality assurance, ethical standardization and professionalism in the media sector.

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 the media sector is one.

II. OBJECTIVES OF THE CONSULTANCY

The main objectives of the consultancy are to assist The Legal and Justice Affairs Advisory Council undertake a thorough diagnostic analysis and draft Media law that will address media related legal issues including free speech, defamation, copyright, and censorship.

Based in the AG office with the secretariat, and in close collaboration with the Technical Working Group on the Media, the successful Consultant will support the Legal and Justice Affairs Advisory Council in the reform process, assist in researching legal challenges related to media, organizing dialogue forums with relevant stakeholders, bring-in international good practices in media regulation and engagement. More specifically, the consultant is expected to conduct research and provide analytical pieces and legal briefs on the laws, proclamations, practices and trends that impact on media – both public and private and facilitating the work of the Media Technical Working Group. S/he will also contribute, both substantially and operationally, to the formulation of appropriate laws, rules and regulations. Furthermore, S/he is expected to provide policy and technical advisory services to the Government and UNDP.

III. Functions / Key Results Expected

Summary of Key Functions:

Officially reporting to the Head of the Secretariat, the consultant will be primarily responsible for facilitating the work of the Media Technical Working Group towards undertaking diagnostic study and developing the normative frameworks that should govern the media sector; and for the implementation of specific program components as relating to Media Legal Reform.

Specific functions:

- Provide operational support to the Media working group through improved coordination and facilitation of work streams;
- Identify, coordinate and closely monitor implementation of the transformational agenda deliverables, sub-deliverables and activities of the working group it is assigned to;
- Support the Head of the Secretariat 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-caliber professional support including research and policy analysis to the Media Technical working group and other sub-programs of the legal and justice reform

- Assist in the revision of the current media related laws including Press Law, Broadcast Law, Advertisement Law, Commercial/Investment Law. etc.
- Assume responsibility for the day to day operation of program pillars the Media technical working group is assigned to work on;
- Provide technical assistance to the Media working group in the undertaking of 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;
- Organize and proactively engage with pertinent government institutions, public and private stake-holders, non-governmental organizations and development partners in bilateral/national consultations, workshops and other dialogue forums which facilitate the implementation of the program roadmap;
- Prepare bi-monthly reports regarding the new developments Media reform sub-programs and Technical working group- status of support, progress during reporting period, challenges and suggested remedies, and projected activities to the Secretariat;
- Discharge any other task as may be assigned by the Head of the Secretariat;

IV. Impact of Results

The key results of the consultant are expected to have an impact on the overall work of the reform agenda lead by Legal and Justice Affairs Advisory Council and creating better understanding of media dynamics and its role in the current governance situation in Ethiopia. As such, the consultant's professional input should result in the development of a state of the art, technically/politically/culturally sound media law and legal framework. Further, the work of the media consultant is expected to greatly influence on how effectively the government should engage with the media, and inversely how the media should engage with the public.

V. 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;

VI. Required Qualifications

Education:

- M.A. in Political Science, Journalism, Law or related fields
- Experience in teaching or consultancy setting; 2 years of which has to be in the Media sector

Experience:

- Demonstrated experience in designing and implementation of media analysis, policy development and assessment;
- At least 5 years of progressively responsible experience in media, governance, civil society sector, justice and human rights, public policy analysis;
- 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;
- Sound understanding of the Ethiopian governance and media landscape;
- Ability to thrive in fast-moving, start-up environment with emphasis on high-performance, teamwork, accountability and results;
- Ability to build relationships with stakeholders
- Excellent oral and written communication and reporting skills, fluency in Amharic and English languages is a prerequisite;
- Strong set of personal values including integrity, honesty and desire to be of public service;
- Experience in creating collaborative partnerships at the national and international levels;
- Highly facilitative and collaborative leadership style;
- Excellent knowledge of Ethiopian political and governance context and issues related to media;
- Experience in the use of computers and office software packages, including experience in handling web- based management platforms and systems;

Language requirements: Fluency in English and Amharic.

VII. 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 Media 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.

VIII. DURATION OF THE ASSIGNMENT¹

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.

IX. CRITERIA 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 and interview 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%)	

X. 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.

XI. DELIVERABLES

- A short monthly brief report on progress.

XII. HOW TO APPLY

Interested consultant with required qualification and experience must submit their applications on line as per the following email: <http://etendering.partneragencies.org>

¹ The IC modality is expected to be used only for short-term consultancy engagements. If the duration of the IC for the same TOR exceeds twelve (12) months, the duration must be justified and be subjected to the approval of the Director of the Regional Bureau, or a different contract modality must be considered. This policy applies regardless of the delegated procurement authority of the Head of the Business Unit.

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 proposal:

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
Monthly (12 months)	Upon Successful completion of the assignment	
Total Lump sum (12 months)	100%	ETB

**Basis for payment tranches*