

Terms of reference



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GENERAL INFORMATION

Title: National Consultant (writer) for National Strategy on Access to Justice Secretariat – Land and Natural Resources

Project Name : Strengthening Access to Justice in Indonesia

Reports to: SAJI Project Manager

Duty Station: Jakarta

Expected Places of Travel (if applicable): N/A

Duration of Assignment: 16 July – 17 November 2013

REQUIRED DOCUMENT FROM HIRING UNIT

<input checked="" type="checkbox"/>	TERMS OF REFERENCE
4	CONFIRMATION OF CATEGORY OF LOCAL CONSULTANT , please select :
	(1) Junior Consultant
	(2) Support Consultant
	(3) Support Specialist
	(4) Senior Specialist
	(5) Expert/ Advisor
	CATEGORY OF INTERNATIONAL CONSULTANT , please select :
	(6) Junior Specialist
(7) Specialist	
(8) Senior Specialist	
<input checked="" type="checkbox"/>	APPROVED e-requisition

REQUIRED DOCUMENTATION FROM CONSULTANT

<input checked="" type="checkbox"/>	CV
<input checked="" type="checkbox"/>	Copy of education certificate
<input checked="" type="checkbox"/>	Completed financial proposal
<input checked="" type="checkbox"/>	Completed technical proposal (if applicable)

Need for presence of IC consultant in office:

☒ partial (explain) The consultant will have to participate in scheduled meetings

☐ intermittent (explain)

☐ full time/office based (needs justification from the Requesting Unit)

Provision of Support Services:

Office space: ☐ Yes ☒ No

Equipment (laptop etc): ☐ Yes ☒ No

Secretarial Services ☐ Yes ☒ No

If yes has been checked, indicate here who will be responsible for providing the support services: < Enter name >

Signature of the Budget Owner: Project Manager

I. BACKGROUND

SAJI project presents the continuation and expansion of the Legal Empowerment and Assistance for

the Disadvantaged Project (LEAD) and the Aceh Justice Project (AJP) that have been implemented from 2007 to 2011. SAJI is geared towards improved access to justice for Indonesian citizens, contributing to the alleviation of poverty, good governance practices, and empowerment of disadvantaged, vulnerable, and marginalized people. In accordance with the Jakarta Commitment and Paris Declaration on Aid Effectiveness, which emphasize the principle of supporting national priorities and policies, SAJI will use, as a guiding framework, Gol's National Strategy on Access to Justice (NSA2J) to directly link the policy and the project activities. The strategy that was launched in the end of 2009 serves a reference point for project planning, implementation, and evaluation and the action plans provide an overall guidance for SAJI's priorities and activities.

A part of SAJI's objectives are to mainstream NSA2J into government agency's budget and work plan and to build the capacity of the Indonesian public to demand reforms and remedies from the duty-bearers. To achieve this, SAJI will work on the mainstreaming of NSAJ to Government Organisations as well as CSOs to ensure that Government's policies, budgets, and action plans are in line with NSA2J. However, the NSA2J was developed in 2009 and needs updating to reflect current condition.

II. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED ANALYTICAL WORK

Under the direct supervision of SAJI's project manager and in coordination with SAJI Mainstreaming Analyst, the consultant is responsible to develop a draft of the revision of chapter on Access to Justice for Land and Natural Resources in the current National Strategy on Access to Justice

Scope of work

The consultant is required to undertake the following main tasks:

- To develop a concept note on the revision of chapter on Access to Justice for Land and Natural Resources in the current National Strategy on Access to Justice;
- To develop first draft of the revision of chapter on Access to Justice Land and Natural Resources in the current National Strategy on Access to Justice to be consulted to stake holders
- To develop final draft of the revision of chapter on Access to Justice for Land and Natural Resources in the current National Strategy on Access to Justice

In order to accomplish this task the consultant is expected to attend various meetings with other writers.

III. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

SHORTLISTING CRITERIA

I. Academic Qualifications:

Master Degree in law or related discipline

II. Years of experience:

- a. At least ten years of progressive working experience
- b. Have extensive experience on eco-social issues regarding land as well as natural resources, especially customary law land and natural resources issue;
- c. Have general knowledge of Gol and donor organizational structure and policies;

- d. Excellent in writing and analytical skills
- e. Experience in working with governments, donors, and civil societies
- f. Experience in the usage of computer and office software packages and knowledge of spreadsheet and database packages

III. Competencies:

Communications and Networking

- Maturity and confidence in dealing with senior and high ranking members of national institutions, government as well as development partners.

IV. EXPECTED RESULTS

Deliverables	Indicative date of deliverables	Payment due (%)
The contractor is required to submit the following documents:		
1. Concept note on the revision of chapter on Access to Justice for Land and Natural Resources in the current National Strategy on Access to Justice	20 July 2013	25%
2. First Draft of the revision of chapter on Access to Justice Land and Natural Resources in the current National Strategy on Access to Justice	30 July 2013	35%
3. Final Draft of the revision of chapter on Access to Justice for Land and Natural Resources in the current National Strategy on Access to Justice	31 August 2013	40%

- The consultant is expected to submit all the deliverable indicated in the abovementioned expected results in soft-copy (Microsoft Office)
- Raw materials (presentations) must be submitted in soft-copy (Microsoft Office Package)

V. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS (PART TO BE COMPLETED BY CONSULTANT)

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

1.NAME OF CONSULTANT :

2. Interest and Availability

(i) Explaining why you are the most suitable for the work

(ii) Provide a brief methodology on how you will approach and conduct the work (if applicable)

3. Financial proposal

[The procuring UNDP entities will choose among one of these two mechanisms. The lump sum approach is the preferred method, as it clearly links deliverables and payments transferring any unforeseen risks for the completion of the deliverable to the consultant. Once the mechanism has been selected, the other one shall be deleted to avoid any misunderstanding]

• 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).

• Contracts based on daily fee

The financial proposal will specify the daily fee, travel expenses and per diems quoted in separate line items, and payments are made to the Individual Consultant based on the number of days worked.

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.

4. Personal CV, latest education certificate including past experience in similar projects

VI. EVALUATION

[The procuring UNDP entities will choose among one of these two evaluation methods prior to submit the have the Individual Consultant Procurement Notice. Once the evaluation method has been selected the other one shall be deleted to avoid any misunderstanding]

Individual consultants will be evaluated based on the following methodologies

PLEASE SELECT

☐ Lowest price and technically compliant offer

When using this method, the award of a contract should be made to the individual consultant whose offer has been evaluated and determined as both:

a) responsive/compliant/acceptable, and

b) offering the lowest price/cost

“responsive/compliant/acceptable” can be defined as fully meeting the TOR provided.

OR

☒ 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%]

Only candidates obtaining a minimum of **2.0 point (on average)** would be considered for the Financial Evaluation

Criteria	Max. Point
<u>Technical (70%)</u>	5
Master Degree in law or related discipline	5
Have extensive experience on eco-social issues regarding land as well as natural resources , especially customary law land and natural resources issue;	5
Have general knowledge of GoI and donor organizational structure and policies and demonstrate excellent in writing and analytical skills	5
<u>Financial (30%)</u>	5

ANNEX 1- INDIVIDUAL CONSULTANT GENERAL TERMS AND CONDITIONS – [to be provided by procuring unit with the individual consultant procurement notice]