



Empowered lives.
Resilient nations.

25 June 2019

INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

for individual consultants and individual consultants assigned by consulting firms/institutions

Country:	Viet Nam
Description of the assignment:	01 National Consultant (Team Leader) and 01 International Consultant (Team Member) to undertake study on strengthening the Alignment of the National Law on Persons with Disabilities and International Convention on the Rights of Persons with Disabilities and other International Standards
Period of assignment/services (if applicable):	(July – September 2019)
Duty Station:	Home based /Vietnam
Tender reference:	AD-190604 (re-advertise)

1. Submissions should be sent by email to: nguyen.thai.duong@undp.org no later than:

23.59 hrs., Tuesday 2 July 2019 (Hanoi time)

With subject line:

AD-190604 Leader for study on alignment of nat law, Intl convention and standards on PWDs
AD-190604 Member for study on alignment of nat law, Intl convention and standards on PWDs

Submission received after that date or submission not in conformity with the requirements specified this document will not be considered.

Note:

- Any individual employed by a company or institution who would like to submit an offer in response to this Procurement Notice must do so in their individual capacity, even if they expect their employers to sign a contract with UNDP.
- Maximum size per email is **30 MB**.
- Any request for clarification must be sent in writing, or by standard electronic communication to the address or e-mail indicated above. Procurement Unit – UNDP Viet Nam 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.
- After submitting proposal, bidder should send notification by email (without attachment) to: procurement.vn@undp.org informing that the bidder has submitted proposal. UNDP will not

be responsible for the missing of proposal if the bidder does not send notification email to above address.

- Female consultants are encouraged to bid for this required service. Preference will be given to equally technically qualified female consultants.

2. Please find attached the relevant documents:

- [Term of References](#)..... (Annex I)
- [Individual Contract & General Conditions](#)..... (Annex II)
- [Reimbursable Loan Agreement](#) (for a consultant assigned by a firm).....(Annex III)
- [Letter to UNDP Confirming Interest and Availability](#)..... (Annex IV)
- [Financial Proposal](#).....(Annex V)

3. Interested individual consultants must submit the following documents/information (in English, PDF Format) to demonstrate their qualifications:

a. Technical component:

- Signed Curriculum vitae
- Signed Letter to UNDP Confirming Interest and Availability
- Copy of 1-3 publications/writing samples on relevant subject.
- Letter of Introduction
- Reference contacts of past 4 clients for whom you have rendered preferably the similar service (including name, title, email, telephone number, address...)

b. Financial proposal (with your signature):

- The financial proposal shall specify a total lump sum amount in **VND for national consultant and US dollar for International Consultant** including consultancy fees and all associated costs i.e. airfares, travel cost, meal, accommodation, tax, insurance etc. – see format of financial offer in Annex V.
- Please note that the cost of preparing a proposal and of negotiating a contract, including any related travel, is not reimbursable as a direct cost of the assignment.
- If quoted in other currency, prices shall be converted to the above currency at UN Exchange Rate at the submission deadline.

4. Evaluation

The technical component will be evaluated using the following criteria:

National Consultant

(A) Senior Researcher Consultant's experiences/qualification related to the services		
1.1	Master's degree in law or social sciences or related field;	200
1.2	A minimum of 10 years working experience in the area of law, human rights, persons with disabilities, international development; Having understandings of disability rights;	250
1.3	Excellent report writing skills in English and Vietnamese language;	250
1.4	Having working experience as a team leader of research/consultant teams conducting interviews	200

1.5	Strong commitment and good attitude demonstrated through the Letter of Introduction	100
Total		1000

International Consultant

(B) International Consultant's experiences/qualification related to the services		
1.1	Master's degree in law, social sciences or related field;	200
1.2	A minimum of 10 years working experience in the area of law, human rights, international development; Having understandings of disability rights;	200
1.3	Excellent report writing skills in English language;	150
1.4	Proven capacity to work independently and team work; Knowledge about Vietnamese context is an advantage;	150
1.5	Skills in designing interviews/group discussions and survey data analysing	200
1.6	Strong commitment and good attitude demonstrated through the Letter of Introduction	100
Total		1000

A two-stage procedure is utilized in evaluating the submissions, with evaluation of the technical components being completed prior to any price proposals being opened and compared.

The price proposal will be opened only for submissions that passed the minimum technical score of 70% of the obtainable score of 1000 points in the evaluation of the technical component. The technical component is evaluated on the basis of its responsiveness to the Term of Reference (TOR). Maximum 1000 points will be given to the lowest offer and the other financial proposals will receive the points inversely proportional to their financial offers. i.e. $S_f = 1000 \times F_m / F$, in which S_f is the financial score, F_m is the lowest price and F the price of the submission under consideration.

The weight of technical points is 70% and financial points is 30%.

Submission obtaining the highest weighted points (technical points + financial points) will be selected.

Interview with the candidates may be held if deemed necessary.

5. Contract

“Lump-sum” Individual Contract will be applied for freelance consultant (Annex II)

“Lump-sum” RLA will be applied for consultant assigned by firm/institution/organization (Annex III)

Documents required before contract signing:

- International consultant whose work involves travel is required to complete the courses on BSAFE which is the new online security awareness training and submit certificate to UNDP before contract issuance.
- Note: In order to access the courses, please go to the following link: <https://training.dss.un.org>
The training course takes around 3-4 hours to complete.

- Full medical examination and Statement of Fitness to work for consultants from and above 65 years of age and involve travel. (This is not a requirement for RLA contracts).
- Release letter in case the selected consultant is government official.

6. Payment

UNDP shall effect payments to the consultant (by bank transfer to the consultant's bank account provided in the vendor form upon acceptance by UNDP of the deliverables specified the TOR.

Payments are based upon outputs, i.e. upon delivery of the products specified in the TOR.

If two currencies exist, UNDP exchange rate will be applied at the day UNDP instructs the bank to effect the payment.

7. Your proposals are received on the basis that you fully understand and accept these terms and conditions.



TERMS OF REFERENCE

TITLE:	Study to Strengthen the Alignment of the National Law on Persons with Disabilities and International Convention on the Rights of Persons with Disabilities and other International Standards
NATIONAL OR INTERNATIONAL:	02 consultants including: <ul style="list-style-type: none">- 1 International Consultant (10 working days)- 1 National Consultant as team leader (30 working days)
DURATION OF ASSIGNMENT:	July 2019 – September 2019
COUNTRY OF ASSIGNMENT:	Viet Nam

1) GENERAL BACKGROUND

In Viet Nam, nearly 15 per cent of the population live with some form of disability – an estimated 13 million people in total. The large number of persons with disabilities in Viet Nam makes it an issue high on the national agenda. Although the Government of Viet Nam has made a strong commitment to support persons with disabilities (PWD), there is still a large gap between law and practice. The rights of all citizens are guaranteed by the 1992 Constitution, and its 2013 revision added additional amendments, enshrining the protection of people with disabilities in Articles 59 and 61. Various laws and policies passed by the government are set out to protect additional rights of Persons with Disabilities. However, people with disabilities continue to face numerous barriers and stigma in their everyday lives, including multiple barriers to participation in public life.

To improve Viet Nam's Law on PWDs to protect PWDs' rights in compliance with CRPD after ten years of the law's implementation, UNDP and MOLISA will jointly conduct a study to review the gaps between Viet Nam's Law on PWDs and CRPD and recommend the itinerary of the law revision in light of good practices in other countries. The research is composed of three parts: (i) In the first part, the discrepancies between Viet Nam's Law on PWDs and CRPD will be analysed; (ii) In the second part, the gaps between the law and its practice will be identified; and (iii) in the third part, to assist the Law revision process, good practices of disability-related legislation and law amendments in other countries will be reviewed. Appropriate recommendations for Viet Nam's contexts will be made accordingly. Appropriate recommendations for Viet Nam's contexts will be made accordingly. Research findings will be reported in a national dialogue held on the International Day of PWDs on December 03, 2019.

Hence, UNDP would like to seek for 1 national and 1 international consultant, to provide services to conduct a study to strengthen the alignment of the National Law on Persons with Disabilities and International Convention on the Rights of Persons with Disabilities (CRPD) and other international standards

2) OBJECTIVES OF THE ASSIGNMENT

Key objectives of the assignment are:

1. To identify the gaps and areas of good practice of the National Law on Persons with Disabilities compared with international standards and selected comparative jurisdictions;
2. Strengthen the participations of PWDs in the dialogue on the legal and policy framework on PWDs;
3. To provide recommendations for improving the current national policy framework;

3) SCOPE AND SCHEDULE OF WORK

2 consultants will work together as a team. The assignment for the team includes desk review of alignment of the National Law on Persons with Disabilities and international Convention on the Rights of Persons with Disabilities and other international standards. Additionally, the assignment includes stakeholder interviews in Hanoi, Ho Chi Minh City and Da Nang.

National consultant as Team leader (30 days):

- The Team leader is ultimately responsible for the final report.
- Takes the lead in discussions with UNDP on methodology for the interviews.
- Responsible for the whole process of the assignment, including:

Desk review: (15 days)

- Study the National Law on Persons with Disabilities to identify the gaps and areas of good practice in comparison with CRPD and other international standards.
- Provide context specific recommendations together with the International Consultant.
- Review and finalize the desk review report prepared by the international consultant on international best practices.

Interviews: (5 days)

- Liaison with the MOLISA to identify at least 10 people for interview from the government and the DPOs, ensuring participation of members of MOLISA, MOJ, MPI and a good representation of local DPOs.
- Review the interview questions submitted by the international consultant.
- Lead interviews/group discussions with selected people.
- Analyze data from the interviews.

Report: (9 days)

- Review and finalize the outline of the report submitted by the international consultant.
- Share the outline of the report with UNDP and integrate inputs/comments from UNDP.
- Share the draft report with UNDP and integrate inputs/comments from UNDP.
- Review and finalize the report developed by the senior legal expert to ensure that comments from the consultation workshops are fully integrated.

Presentations: (1 day)

- Present research findings/recommendations at the launch workshop

International consultant (10 days):

Desk review: (5 days)

- Study the existing international standards and selected comparative jurisdictions.
- Compare the national legal and policy framework in light of the international standards.
- Provide context specific recommendations together with the National Consultant.

Interviews: (2 days)

- Develop interview questions in cooperation with UNDP.
- Cooperate with the team leader to conduct the interviews/group discussions with selected people.

Report: (3 days)

- Develop outline of the final report.
- Develop the draft final report, that includes the desk review results and interview results with recommendations.
- Edit the English version of the report.

4) DURATION OF ASSIGNMENT, DUTY STATION AND EXPECTED PLACES OF TRAVEL

The assignment will be carried out within July 2019 – September 2019.

Duty station:

- For national consultant: home based; 01 travel day to the consultation workshop in each city: Ha Noi, Ho Chi Minh City, Da Nang; 01 travel day to the Launch event of the Study in Hanoi.
- For international consultant: home based

5) FINAL PRODUCTS***

- A study in English and Vietnamese (approximately about 30 pages each version), including the desk review results and interview results with recommendations. The report should have following contents:
 - Review of the National Law on Persons with Disabilities to identify the gaps and areas of good practice compared with international standards and selected comparative jurisdictions and recommendations for strengthening protection of PWDs
 - A comparison between the law on PWDs and its implementation
 - Some good examples of legislation for PWDs in compliance with CRPD regionally and internationally
 - An executive summary in English and Vietnamese (5-7 pages)
- A presentation on the desk review, interview findings and recommendations in Vietnamese and English to be delivered in the launch workshop

6) ACTIVITIES, PROVISION OF MONITORING AND PROGRESS CONTROLS

The team of consultants will work in close collaboration with the Programme Officer in charge in the UNDP Governance and Participation Team.

Monitoring and Progress Control will be followed up by the timeline below:

#	Activities	Timeline/DL
1.	Submission of work plan and outline of report	End of July 2019
2.	Submission of desk review report and interview questions	Beginning of August, 2019
3.	Interviews	Mid of August 2019
4.	Submission of draft report	Beginning of September 2019
5.	Presenting the draft report at the consultation workshop	Mid of September 2019
6.	Finalization of report based on the comments from UNDP and consultation workshop	End of September 2019
7.	Evaluation certification	15th October 2019
8.	Presenting the Final report at the High-level Policy Dialogue	3 rd December 2019

7) DEGREE OF EXPERTISE AND QUALIFICATIONS

National Consultant

- Master's degree in law or social sciences or related field;
- A minimum of 10 years working experience in the area of law, human rights, international development; Having understandings of disability rights;
- Excellent report writing in both Vietnamese and English languages.
- Having working experience as a team leader of research/consultant teams conducting interviews

International Consultant

- Master's degree in law, social sciences or related field;
- A minimum of 10 years working experience in the area of law, human rights, international development; Having understandings of disability rights;
- Excellent report writing skills in English language;
- Knowledge about Vietnamese context is an advantage;
- Having capacity to work independently and team work;
- Skills in designing interviews/group discussions and survey data analysing

8) REVIEW TIME REQUIRED AND PAYMENT TERM

For national consultant:

- 1st installment: 20% of contract amount upon receiving and acceptance of detailed workplan and outline of the final report
- 2nd installment: 30% of contract amount upon receiving and acceptance of desk review report and questionnaire for survey
- Final installment: 50% of contract amount shall be paid upon satisfactory completion of all deliverables specified in the TORs.

For international consultant:

- 1st installment: 20% of contract amount upon receiving and acceptance of detailed workplan and outline of the final report
- Final installment: 80% of contract amount shall be paid upon satisfactory completion of all deliverables specified in the TORs.

Payment will be made upon satisfactory certification of the products by the Programme Officer in charge, UNDP Viet Nam following UNDP rules.

9) CONSULTANCY RATE AND REQUIREMENTS FOR SUBMISSION OF APPLICATIONS

NATIONAL CONSULTANT – TEAM LEADER:

“2017 EU-UNDP Guidelines for Financing Local Costs in Development Cooperation with Viet Nam” will be applied for national consultancy rate and travel cost. The travel cost (flight ticket, terminal fee, accommodation...) to join 3 consultation workshop (in Ha Noi, Danang and Ho Chi Minh City) and to join the Launching event (in Ha Noi) should be included in the total cost which required by the consultant. Cost for arranging for consultation workshop and launch event to be covered by UNDP.

National consultant must submit the following documents/information to demonstrate the qualification of the national consultant:

- Letter of Introduction: explaining why they are the most suitable candidate for the work; providing a brief overview on how they will approach and conduct the work;
- CV, including past experience with similar type of work and the names of three references in Vietnamese and English and two writing samples one in English and one in Vietnamese;

INTERNATIONAL CONSULTANT

International consultant must submit the following documents/information to demonstrate the qualification of the international consultant:

- Letter of Introduction: explaining why they are the most suitable for the work; providing a brief overview on how they will approach and conduct the work;
- CV, including past experience with similar type of work and the names of three references in English and two writing samples one in English;

10) CONSULTANT PRESENCE REQUIRED ON DUTY STATION/UNDP PREMISES

☒ NONE ☐ PARTIAL ☐ INTERMITTENT ☐ FULL-TIME

EVALUATION CRITERIA WITH ASSIGNED SCORES

(A) National Consultant

Senior Researcher Consultant's experiences/qualification related to the services		
1.1	Master's degree in law or social sciences or related field;	200
1.2	A minimum of 10 years working experience in the area of law, human rights, persons with disabilities, international development; Having understandings of disability rights;	250
1.3	Excellent report writing skills in English and Vietnamese language;	250
1.4	Having working experience as a team leader of research/consultant teams conducting interviews	200
1.5	Strong commitment and good attitude demonstrated through the Letter of Introduction	100
Total		1000

(B) International Consultant

International Consultant's experiences/qualification related to the services		
1.1	Master's degree in law, social sciences or related field;	200
1.2	A minimum of 10 years working experience in the area of law, human rights, international development; Having understandings of disability rights;	200
1.3	Excellent report writing skills in English language;	150
1.4	Proven capacity to work independently and team work; Knowledge about Vietnamese context is an advantage;	150
1.5	Skills in designing interviews/group discussions and survey data analysing	200
1.6	Strong commitment and good attitude demonstrated through the Letter of Introduction	100
Total		1000

ANNEX IV

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 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: [*please 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 V;
- 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 *[please 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, please 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.

O) Are any of your relatives employed by UNDP, any other UN organization or any other public international organization?

YES ☐ NO ☐ If the answer is "yes", give the following information:

Name	Relationship	Name of International Organization

P) Do you have any objections to our making enquiries of your present employer?

YES ☐ NO ☐

Q) Are you now, or have you ever been a permanent civil servant in your government's employ?

YES ☐ NO ☐ If answer is "yes", WHEN?

R) REFERENCES: List three persons, not related to you, who are familiar with your character and qualifications.

Full Name	Full Address	Business or Occupation

S) Have you been arrested, indicted, or summoned into court as a defendant in a criminal proceeding, or convicted, fined or imprisoned for the violation of any law (excluding minor traffic violations)?

YES ☐ NO ☐ If "yes", give full particulars of each case in an attached statement.

I certify that the statements made by me in answer to the foregoing questions are true, complete and correct to the best of my knowledge and belief. I understand that any misrepresentation or material omission made on a Personal History form or other document requested by the Organization may result in the termination of the service contract or special services agreement without notice.

DATE: _____

SIGNATURE: _____

NB. You will be requested to supply documentary evidence which support the statements you have made above. Do not, however, send any documentary evidence until you have been asked to do so and, in any event, do not submit the original texts of references or testimonials unless they have been obtained for the sole use of UNDP.

Annexes *[please check all that applies]:*

- ☐ CV shall include Education/Qualification, Professional Certification, Employment Records /Experience
- ☐ Breakdown of Costs Supporting the Final All-Inclusive Price as per Template

GUIDELINES FOR CV PREPARATION

WE REQUEST THAT YOU USE THE FOLLOWING CHECKLIST WHEN PREPARING Your CV:

Limit the CV to 3 or 4 pages

NAME (First, Middle Initial, Family Name)

Address:

City, Region/State, Province, Postal Code

Country:

Telephone, Facsimile and other numbers

Internet Address:

Sex, Date of Birth, Nationality, Other Citizenship, Marital Status

Company associated with (if applicable, include company name, contact person and phone number)

SUMMARY OF EXPERTISE

Field(s) of expertise (be as specific as possible)

Particular development competencies-thematic (e.g. Women in Development, NGOs, Privatization, Sustainable Development) or technical (e.g. project design/evaluation)

Credentials/education/training, relevant to the expertise

LANGUAGES

Mother Tongue:

Indicate written and verbal proficiency of your English:

SUMMARY OF RELEVANT WORK EXPERIENCE

Provide an overview of work history in reverse chronological order. Provide dates, your function/title, the area of work and the major accomplishments include honorarium/salary.

References (name and contact email address) must be provided for each assignment undertaken by the consultant that UNDP may contact.

UN SYSTEM EXPERIENCE

If applicable, provide details of work done for the UN System including WB. Provide names and email address of UN staff who were your main contacts. Include honorarium/salary.

UNIVERSITY DEGREES

List the degree(s) and major area of study. Indicate the date (in reverse chronological order) and the name of the institution where the degree was obtained.

PUBLICATIONS

Provide total number of Publications and list the titles of 5 major publications (if any)

MISCELLANEOUS

Indicate the minimum and maximum time you would be available for consultancies and any other factors, including impediments or restrictions that should be taken into account in connection with your work with this assignment.

Annex V

FINANCIAL OFFER

Having examined the Solicitation Documents, I, the undersigned, offer to provide all the services in the TOR for the sum of (VND for National Consultant; USD for international Consultant).

This is a lump sum offer covering all associated costs for the required service (fee, meal, accommodation, travel, taxes etc).

Cost breakdown:

No.	Description	Quantity	Unit Rate	Total
1	Consultancy fee			
2	Out of pocket expenses			
2.1	Travel			
2.2	Per diem			
2.3	Full medical examination and Statement of Fitness to work for consultants from and above 65 years of age and involve travel – (required before issuing contract).			
2.5	Others (pls. specify)			
	TOTAL			

** Individual Consultants/Contractors who are over 65 years of age with assignments that require travel and are required, **at their own cost**, to undergo a full medical examination including x-rays and obtaining medical clearance from **an UN-approved doctor** prior to taking up their assignment.*

I undertake, if my proposal is accepted, to commence and complete delivery of all services specified in the contract within the time frame stipulated.

I agree to abide by this proposal for a period of 120 days from the submission deadline of the proposals.

Dated this day /month of year

Signature

(The costs should only cover the requirements identified in the Terms of Reference (TOR) Travel expenses are not required if the consultant will be working from home).