**INDIVIDUAL CONSULTANT PROCUREMENT NOTICE** 

**Description of the assignment**: Mid-term evaluation (MTE) of the Access to Justice through Village

 Mediation and Paralegal Services Project

**Type of contract:** Individual Contract

**Post level:** National Consultant

Duration of Contract: 20 days

**Languages required:** English

**Country:** Malawi (Lilongwe)

**Application Method:** Direct E-mail: **procurement.mw@undp.org**.

1. **INTRODUCTION**

The Paralegal Advisory Service Institute (PASI) is implementing the Access to Justice through Village Mediation and Paralegal Services Project. The project is funded by the European Union (EU) under the Chilungamo (Justice and Accountability) Programme and the United Nations Development Programme (UNDP). This is a four-year project running from 1st January 2018 to 31st December 2021.

The Paralegal Advisory Service Institute (PASI) and United Nations Development Programme (UNDP) signed an Agreement on 19th February 2018 which sets out the commitments and responsibilities of the two institutions regarding the management and implementation of the Access to Justice through Village Mediation and Paralegal Advisory Services Project under the Chilungamo (Justice and Accountability) programme. The four-year project seeks to avail appropriate paralegal services in communities, district courts, police and prisons across the country as well as provide village mediation services in communities, and support diversion of minor cases out of the formal criminal justice system so as to substantially reduce the number of people entering pre-trial detention and reduce the duration of their detention pending conclusion of their cases.

Under the agreement, PASI is to provide national paralegal advisory services in police stations, courts, and prisons as well as provide village mediation services in selected communities. PASI will also facilitate diversion of minor cases out of the criminal justice system through paralegal officers and village mediators. The project will provide legal assistance to over 317,000 persons as well as provide mediation services to resolve at least 58,000 local level disputes. The two major PASI interventions will therefore have significant benefit to the value of Malawi’s justice system. PASI is planning to engage a consultant to conduct a mid-term evaluation.

The project focus on delivering the following results:

Output 1: A well-functioning and sustainable mediation service at community level established for

 criminal and non-criminal matters.

Output 2: An effective diversion scheme for minor offences established to benefit both the formal

 and informal justice sectors.

Output 3: Strengthened provision of first legal aid services (advice, assistance and legal

 empowerment) to the poor and vulnerable people in conflict with the law in Malawi.

Output 4: Strengthened coordination mechanisms to ensure efficient and effective flow of

 information and delivery of justice in the criminal justice agencies and the community.

Output 5: Strengthened effective and efficient management, partnership formation, research and

 M and E.

1. **PURPOSE OF THE EVALUATION**

The main purpose of the mid-term evaluation is to provide an independent project assessment of the progress made towards the achievement of the expected results and identify challenges to improve project implementation and make necessary course corrections. In addition, to fulfilling UNDP’s accountability requirements, the midterm evaluation will also document lessons for improving project effectiveness.

1. **EVALUATION SCOPE AND OBJECTIVES**
	1. **Scope**

The mid-term evaluation will assess the performance of the project using the standard evaluation criteria of relevance, effectiveness, efficiency and sustainability. The evaluation will also assess the implementation strategy including the implementation modalities and extent to which the design, implementation and monitoring of the project incorporates a gender equality perspective and human rights-based approach~~.~~ The exercise will cover the period 1st January 2018 to 30th September, 2019. The evaluation will be conducted in selected districts from all the 4 regions of the country and the assignment will be executed between 1st October and 30th November, 2019.

* 1. **Objectives**

More specifically, the objectives of the MTE will be to assess:

* The progress made towards the achievement of the expected results and performance.
* Relevance of the project strategies to development needs of the people and global, regional and national development goals.
* To assess effectiveness of the project in achieving the specific expected results and analyse any factors contributing and hindering its progress.
* To what extent has the project contributed to the reduction of work load in the formal justice institutions.
* To what extent has the project addressed the overcrowding of prisons in the targeted districts
* To what extent has the project contributed to the diversion of minor cases from formal to informal justice institutions.
* To what extent was gender equality and human rights issues incorporated in project design, implementation, monitoring and reporting.
* To make recommendations, if any, to improve the design, efficiency, effectiveness, sustainability and strategies and directions of the project for the remainder of the implementation period.
* To document lessons learnt for improving project effectiveness.
1. **EVALUATION QUESTIONS**
2. **Relevance**
* How relevant is the project to the global, regional and national development goals?
* How relevant is the project to the development needs of the people/beneficiaries, in particular women and vulnerable groups including persons with disability and albinism.?
* Whether the outcome and outputs of the projects were stated explicitly and precisely in verifiable terms with SMART indicators disaggregated by sex, age and location;
* Whether the relationship between outcome, outputs, activities and inputs of the projects are logically articulated.
1. **Effectiveness**
* How effective are the project strategies in delivering expected/planned outputs and outcomes?
* Are the project strategies effective in responding to the needs of the beneficiaries especially the vulnerable population including those with disabilities and albinism, what results are being observed?
* Is there a suitable Monitoring and Evaluation Framework? How often is the framework used to monitor expected project outcomes?
* To what extent are human rights, gender and disability issues mainstreamed in the project strategies and implementation?
* Regarding the project output on capacity building, how effective were the projects’ capacity building interventions.
1. **Efficiency**
* Are the processes of achieving results efficient? Do the actual results justify the costs incurred and were the resources effectively utilized?
* What project strategies or factors are contributing to project implementation efficiency?
* Do the project interventions duplicate existing similar interventions in the targeted areas and were there any collaborations with similar interventions?
* How did the project financial management processes and procedures affect the performance of the project implementation?
* Are there more efficient ways and means of delivering results?

1. **Implementation:**
* How did project management arrangements and procedures affect the performance of project implementation? What partnerships were built or strengthened to improve performance of project implementation?
* How effective was the delivery of inputs specified in the project documents, including selection of responsible institutions, institutional arrangements, identification of beneficiaries, scheduling of activities and actual implementation;
* The fulfilment of the success criteria as outlined in the project document;
* The responsiveness of the project management to significant changes in the environment in which the project functions (both facilitating or impeding project implementation);
* Determine whether or not lessons learnt from other relevant programmes/projects were incorporated into the project.
* The monitoring and backstopping of the projects as expected by the key partners (Ministry of Justice, PASI and UNDP;
* The role of UNDP CO and its impact (positive and negative) on project delivery.
1. **Sustainability**
* To what extent are the project positive results likely to be sustained after the completion of the project
* What strategies does the project have to ensure continuation and sustainability of the project outcomes after completion of the project?
* What are the key factors that will require attention to improve prospects of sustainability of project outcome?
* How are the capacities strengthened at individual and organisational level to ensure sustainability of project results?
* What are recommendations for similar intervention in future to ensure sustainability?
1. **METHODOLOGY**
	1. **Preparatory phase**

The Consultant will be given key documents of the project to prepare and submit inception report in consultation with the project management team. She/he will prepare evaluation work plan and finalize methodology of the study.

* 1. **Project theory validation**

The Consultant will be required to re-construct a theory of change for the project to provide a conceptual framework to assess various elements of the project.

**5.3 Desk Review**

The evaluator will be expected to review key programme documents (e.g. project documents, progress reports, monitoring visits reports, Baseline report, disbursement report/financial report etc.) to respond to some of the evaluation questions.

**5.5 Field Visits**

The evaluator will be expected to visit selected project sites where both qualitative and quantitative data will be collected through desk review of case records in justice institutions especially prisons, focus group discussions and key informant interviews with some beneficiaries, project staff and stakeholders to understand their perception of the project and validate some of the project interventions and results.

**6.0 MANAGEMENT AND IMPLEMENTATION ARRANGEMENTS**

**Country Office Evaluation Management**: UNDP CO management is ultimately responsible and accountable for the quality of the evaluation process and products under the leadership of the UNDP Deputy Resident Representative - Programme (DRR-P). The DRR-P will assign an **Evaluation Manager** (UNDP M&E Specialist) who shall be responsible for engaging and debriefing the Consulting team, coordinating review of reports, and ensuring compliance with UNDP/UNEG evaluation standards, ethics and code of conduct for evaluations. The CO Management will take responsibility for the approval of the final evaluation report

The CO management will develop a management response to the evaluation within two weeks of report finalization.

**Project Management**: The Programme Analyst responsible for the Chilungamo – Access to Justice through Village Mediation and Paralegal Services Project, the Project M&E Officers (UNDP and PASI) will support the evaluator on a daily basis with respect to providing background information and progress reports and other documentation, setting up stakeholder meetings and interviews, arranging field visits and coordinating with beneficiaries and key stakeholders.

**Evaluation Reference Group**: An Evaluation Reference Group comprised of officials from the Ministry of Justice and Constitutional Affairs, European Union, Police Service, Judiciary, Prison Service and UNDP will be established to guide the evaluation to ensure its credibility and utility. The reference group will be expected to assist in key aspects of the evaluation process including reviewing evaluation Terms of Reference, providing documents, providing detailed comments on the draft inception and evaluation reports and dissemination of evaluation findings, lessons learnt and recommendations.

The Evaluation requires two Evaluators; International and Local Evaluator.

**Local Evaluator.**

Will be an independent National consultant who will be supporting the International Consultant. The local Evaluator should not have worked for UNDP or involved with national partners, in the design or implementation of the project.

The National evaluator will support the International Evaluator in conducting the evaluation exercise and timely submit quality inputs for production of key evaluation reports (inception, draft, final etc) to the International Evaluator.

The evaluator will be expected to be fully self-sufficient in terms of office equipment and supplies, communication, accommodation and transport. Furthermore, the evaluator will be expected to familiarize themselves with the United Nations Evaluation Group’s standards and norms for conducting project evaluations.

The National evaluator will provide the International Evaluator with regular updates and feedback.

1. **EVALUATION DELIVERABLES**

The National evaluator is expected to support the International Evaluator to deliver the following:

|  |  |  |  |
| --- | --- | --- | --- |
| **Deliverable**  | **Content**  | **Estimated time-frame** | **Responsible person** |
| **Entry meeting** | Confirm ToR, discuss possible issues and approaches | 1 day | Evaluation manager |
| Inception Report | Evaluator provides understanding of ToR, validation of Theory of Change, performance criteria, clarifications on timing and method, international/local evaluator division of labour, risks, evaluation matrix –a template for an Evaluation Matrix will be provided to the evaluator, questionnaires, etc. | 2 days  | Evaluator |
| Presentation and review of Inception Report | Presentation of IR by evaluator and review of methodology and other aspects by Reference Group | 1 day | Evaluator and Evaluation Manager |
| Consultation and Field Work | Project personnel and stakeholder meetings, project site visits, beneficiary interviews, etc. | 10 days | Evaluator/Programme Analyst |
| Report drafting | Preparation of report consistent with ToR and IR | 2 days | Evaluator |
| Preparation of draft final report | Consultations with Evaluation Reference Group and revision of draft report, with audit trail | 2 days | Evaluator/Evaluation Manager |
| Stakeholder review workshop | Validation of facts and comments on evaluation findings, conclusions and recommendations | 1 day | Evaluation Manager/Programme Analyst |
| Final report | Preparation of final report | 1 day |  |
| Total number of estimated days for the local evaluator input is 20. |

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1. **REQUIRED EXPERTISE AND QUALIFICATIONS**

The National Evaluator should have the following expertise and qualifications:

**National Evaluator**

* The consultant must be a holder of á minimum of a Masters’ Degree in Social Science, Law, Political Science, Conflict management or related field.
* Minimum of 7 years of experience in research, development or implementation of in any of the following areas: access to justice, informal justice systems, conflict management, mediation or human rights.
* Extensive experience in project evaluation.
* Experience in gender mainstreaming.
* Experience and knowledge of formal and non-formal justice system in Malawi
* Those with Knowledge and Experience of the Access to justice research will have an added advantage.
* Excellent report writing and communication skills.

**8.1 Evaluator’s competencies:**

* Excellent analytical, writing, advocacy, presentation, and communications skills;
* Demonstrated ability to work in multi-cultural and inter-disciplinary environments;
* Demonstrated ability to work in an independent manner;
* Team work and leadership skills
* Strong analytical, reporting and communication skills
1. **TIME AND DURATION:**

The local/national evaluator will be hired for a maximum total of 20 work days.

Contract Start Date: 1 October 2019**.** Contract End Date: 30 November, 2019.

1. **TIME TABLE**

|  |  |  |
| --- | --- | --- |
| **Activity** |  | **Weeks** |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| Contract and entry meeting | x |  |  |  |  |  |  |  |
| Inception report, draft revised | x |  |  |  |  |  |  |  |
| Data collection and analysis |  | x | x | x |  |  |  |  |
| Drafting and submission of evaluation report |  |  |  | X | X |  |  |  |
| Meetings with Evaluation Reference Group |  |  |  |  |  | x |  |  |
| Draft report review workshop/receipt of comments from stakeholders and reference group members |  |  |  |  |  |  | x |  |
| Revision and submission of final report |  |  |  |  |  |  |  | X |

1. **EVALUATION ETHICS**

Responsibility of the CO is to ensure credibility and independence of evaluation; responsibility of the evaluation team is to provide impartial, evidence-based, report adhering to international evaluation standards, etc.

The evaluation will follow UNEG guidelines on the ethical participation of human participants, including children and other vulnerable groups. All participants in the study will be fully informed about the nature and purpose of the evaluation and their requested involvement. Only participants who have given their written or verbal consent (documented) will be included in the evaluation.

As part of the inception report, the prospective consultant is expected to provide a detailed plan on how the following principles will be ensured throughout the study: 1) respect for dignity and diversity; 2) fair representation; 3) compliance with codes for vulnerable groups (e.g, ethics of research involving young children or vulnerable groups); 4) redress; 5) confidentiality; and 6) avoidance of harm.

Specific safeguards must be put in place to protect the safety (both physical and psychological) of both respondents and those collecting the data. These should include:

* A plan is in place to protect the rights of the respondent, including privacy and confidentiality
* The interviewer or data collector is trained in collecting sensitive information, and if the topic of the study is focused on violence against women and children, they should have previous experience in this area
* Data collection tools are designed in a way that are culturally appropriate and do not create distress for respondents
* Data collection visits are organized at the appropriate time and place so as to minimize risk to respondents
* The interviewer or data collector is able to provide information on how individuals in situations of risk can seek support

Ethical approval for this study should be sought, as appropriate, from the Malawi National Committee on Research in Social Sciences and Humanities

**12. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS.**

i. Letter of Confirmation of Interest and Availability using the template provided by UNDP;

ii. CV including at least 3 references and a Personal History Form (P11 form);

iii. Brief description of approach to work/technical proposal of why the individual considers him/herself as the most suitable for the assignment, and a proposed methodology on how they will approach and complete the assignment; (max 1 page)

iv. Financial Proposal that indicates the all-inclusive fixed total contract price and all other travel related costs (such as transport, per diem, etc), supported by a breakdown of costs

 **Travel:** All envisaged travel costs must be included in the financial proposal. UNDP does not accept travel costs exceeding those of an economy class ticket. Should the Consultant 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 will be agreed upon, between the respective business unit and Individual Consultant, prior to travel and will be reimbursed.

v. If an applicant is employed by an organization/company/institution, and he/she expects his/her employer to charge a management fee in the process of releasing him/her to UNDP under Reimbursable Loan Agreement (RLA), the applicant must indicate at this point, and ensure that all such costs are duly incorporated in the financial proposal submitted to UNDP.

All application materials should be submitted by email to **procurement.mw@undp.org** by **13th September 2019**. Please include “**Access to Justice Project mid-term evaluation 2019**” in the subject line of the email. The UNDP will not accept proposals via printed hardcopy.

**13. PAYMENT SCHEDULE**

- 1ST payment: 20% Upon approval of the evaluation Inception Report

- 2nd payment: 40% Following submission and approval of the draft evaluation report

- 3rd payment: 40% Following submission and approval of the final evaluation report

**14. EVALUATION OF PROPOSALS**

Only those applications which are responsive and compliant will be evaluated. Offers will be evaluated according to the Combined Scoring method – where the qualifications and methodology will be weighted at 70% and the price proposal will weigh as 30% of the total scoring. The applicant receiving the Highest Combined Score that has also accepted UNDP’s General Terms and Conditions will be awarded the contract.

UNDP applies a fair and transparent selection process that will take into account the competencies/ skills of the applicants as well as their financial proposals. Qualified women and members of social minorities are encouraged to apply.

[Qualifications and experience – see criteria below] 70%

1. Qualifications (see REQUIREMENTS above): 70 points
2. Technical proposal/approach to work: 15 points
3. Interview: 15 points

[Financial Proposal] 30%

|  |  |  |
| --- | --- | --- |
| ***Criteria*** | ***Weight***  | ***Max. Point*** |
| ***Qualification, experience, approach and interview*** | ***70*** | ***100*** |
| ***Criteria A:*** minimum of a Masters’ Degree in Social Science, Law, Political Science, Conflict management or related field |  | *10* |
| ***Criteria B***: Minimum of 7 years of experience in research, development or implementation of in any of the following areas: access to justice, informal justice systems, conflict management, mediation or human rights |  | *20* |
| ***Criteria C***: Experience and knowledge of formal and non-formal justice system in Malawi  |  | *10* |
| ***Criteria D:*** Extensive experience in conducting development project evaluations |  | *20* |
| ***Criteria E****:* Experience in gender mainstreaming; |  | *10* |
| ***Criteria F***: Brief methodology on how they will approach and conduct the work in not more than 2 pages. |  | *15* |
| ***Criteria G*:** Interview |  | *15* |
| ***Financial*** | ***30*** |  |
| ***COMBINED TOTAL SCORE (MAXIMUM)*** | ***100*** |  |

UNDP Malawi P.O. Box 30135, Lilongwe 3, Malawi.

Attention: The Deputy Resident Representative (Operations).