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TERMS OF REFERENCE

Reference	PN/FJI/066/19
Location	Home based and Tuvalu
Project Name	Tuvalu Constitutional Review Project (TCRP)
Application deadline	7 November 2019
Type of Contract	Individual Contractor
Post Level	National Consultant
Consultancy Title	Chief Advisor and Head of Constitutional Secretariat
Languages required:	English
Duration of Initial Contract:	11 November 2019 till 31 March 2020 – 110 days

BACKGROUND

The Tuvalu Constitutional Review Project (TCRP) is a 3-year project supporting the government and people of Tuvalu to review their national constitution considering the socio-economic and political challenges. The project provides the required technical expertise and independent advice through constitutional experts to ensure the constitutional review is more technically proficient, inclusive, participatory and transparent and also conforms to international treaties and conventions, in particular human rights. This process is expected to result in a more educated citizenry, a constitution with text that more accurately reflects the needs and aspirations of the Tuvalu people, and is able to endure and address social, economic and political challenges. In the end this is all geared to ensure Tuvalu has more accountable and effective government (constitution better equipped to deal with past political crisis), a citizenry that is better able to hold leaders to account (because more educated on constitutional rights and duties), stronger social cohesion (because the constitution addresses root causes of rifts between the religions, islands and land rights), and more sustainable development (more socio-economic rights). The overall goal of the project hence is to ensure that citizens of Tuvalu and key governance institutions are empowered to better understand the constitutional review process and underlying issues through effective civic education and engagement during the constitutional review, which is undertaken in an open, transparent and inclusive manner.

Chief Advisor and Head of Constitutional Secretariat

The Chief Advisor and Head of Constitutional Secretariat is responsible for managing the day-to-day aspects of the CRC secretariat duties and also support implementation of the Tuvalu Constitutional Review Project as per the signed project document. In undertaking this role, the Chief Advisor and Head of Constitutional Secretariat will closely with the Office of the Speaker of Parliament, Clerk to Parliament and Attorney General's Office in Tuvalu and ensure all parties are kept informed of all project activities as well as maintain the schedule of activities for the CRC.

The Chief Advisor and Head of Constitutional Secretariat forms an integral part of the Tuvalu Constitutional Review Project as well as for the CRC as he or she will ensure completion of activities and deliverables under the Project as well as the constitutional review process and that adequate reporting from the field is documented and delivered to relevant stakeholders.

The Chief Advisor and Head of Constitutional Secretariat will work in close collaboration with the UN Coordination Officer based in Tuvalu and remotely through UNDP Governance Analyst and with UNDP operations team, programme staff in other UN Agencies, UNDP HQs staff and Government officials, technical advisors and experts, multi-lateral and bi-lateral donors and civil society to ensure coordination and completion of project activities

The key objective of the assignment is:

1. Ensures **provision of effective and efficient secretariat support** to the Constitutional Review Committee (CRC):
 - ❖ Provide day-to-day planning and provide secretariat support to the Constitutional Review Committee and associated sub-committees for the Constitutional Review Process.
 - ❖ Ensure accurate record keeping of all meeting minutes and records of all committee and related seatings are maintained.
 - ❖ Support preparation of appropriate committee papers for internal and external feedback and maintaining schedule and budget for the committee.
 - ❖ Maintain the calendar and undertake logistics for all public consultations for the CRC.
 - ❖ Ensure continuous updates to all internal and external stakeholders on the progress of the constitutional review.
2. Ensures **implementation of project and programme strategies in relation to the Tuvalu CRP** to achieve the following results:
 - ❖ Plan, coordinate and facilitate implementation of activities under the Constitutional Review Project in conjunction with Attorney General's Office and Office of Parliament Clerk and under the guidance of UNDP Governance Analyst.
 - ❖ Draft and submit progress reports and other relative documents to UNDP and the Government of Tuvalu for the Tuvalu Constitutional Review Project and for reporting to donors.
 - ❖ Support procurement and financial management aspects of the Tuvalu CRP.
3. Ensures **creation of strategic partnerships and implementation of the resource mobilization strategy for Tuvalu CRP** in cooperation with the UNDP Governance Analyst and other team members:
 - ❖ Provide support to UNDP and Government of Tuvalu through coordination, research and fostering of strategic cooperation with development partners in undertaking additional resource mobilization for the Tuvalu Constitutional Review Project.
 - ❖ Development of partnerships with the UN Agencies, IFI's, government institutions, bi-lateral and multi-lateral donors, private sector, civil society in the specific thematic areas based on strategic goals of UNDP, country needs and donors' priorities.
 - ❖ Analysis and research of information on donors, preparation of substantive briefs on possible areas of cooperation, identification of opportunities for initiation of new projects,

active contribution to the overall office effort in resource mobilization

DUTIES AND RESPONSIBILITIES

Scope of Work

Reporting to the UNDP Pacific Office to the UNDP Governance Analyst and/or the Effective Governance Team Leader the Local Consultant – Chief Advisor and Head of CRC Secretariat will have the primary responsibility for developing and delivering the components of the Tuvalu Constitutional Review Project.

Expected Outputs and Deliverables

- November – re-start discussions with the Tuvalu Parliament on the TCRP. Progress report based on discussions with Parliament on the way forward for the TCRP – due 30 November 2019 (10 days)
- November – Continue discussions with key stakeholders of TCRP and assist with preparations for MPs induction. Submit a brief progress report. - due on 30 November (20 days)
- December – Support the MPs induction. Submit the induction workshop report – due on 30 December (15 days)
- January – continue work on the TCRP, including a draft TCRP 2020 workplan – due on 31 January (20 days)
- February – finalize and start the implementation of the TCRP workplan – due on 28 February (20 days)
- March – submit TCRP progress report_ 28 March 2019 (20 days)

Institutional Arrangement

- The Chief Advisor and Head of CRC Secretariat Consultant will officially be reporting to the UNDP Pacific Office in Suva through submit progress report as per monthly deliverable dates.
- The Chief Advisor and Head of CRC Secretariat Consultant will be working under the supervision and in coordination with the Clerk to Parliament and Attorney General's Office in Tuvalu where required.
- The Consultant will be provided with desk space at the UNDP/HSO Office in Tuvalu
- UNDP will purchase tickets and provide DSA to consultant as per the UNDP Travel guidelines if any travel is required

Duration of the Work

- The assignment will be from 11 November 2019 to 31 March 2020 (110 days)
- Any comments to the outputs will be reviewed one weeks before the contract starts

Duty Station

- The consultant will be based in Tuvalu and will provide monthly progress update to the Effective Governance Team Leader and Governance Analyst at UNDP, Fiji.

COMPETENCIES

- Preparing information for advocacy
- Contributes into results through primary research and analysis
- Maintaining a network of contacts
- Enhancing processes or products
- Providing inputs to resource mobilization strategies
- Basic research and analysis
- Fundamental knowledge of own discipline
- Preparing information for global advocacy
- Establishing effective client relationships
- Demonstrating/safeguarding ethics and integrity
- Demonstrate corporate knowledge and sound judgment
- Self-development, initiative-taking
- Acting as a team player and facilitating team work
- Facilitating and encouraging open communication in the team, communicating effectively
- Creating synergies through self-control
- Managing conflict
- Learning and sharing knowledge and encourage the learning of others. Promoting learning and - -v - knowledge management/sharing is the responsibility of each staff member.
- Informed and transparent decision making

REQUIRED SKILLS AND EXPERIENCE

Educational Qualifications:

- Minimum Bachelor's Degree or equivalent in Business Administration, Public Administration, Economics, Law, Political Sciences, Social Sciences or related field.

Experience

- Minimum of 4 years of relevant experience at the national or international level in providing management advisory services, practice in law, hands-on experience in design, monitoring and evaluation of development projects. Experience in the usage of computers and office software packages, experience in handling of web-based management systems.

Language requirements

Excellent communication skills in written and spoken Tuvaluan language and in English are required.

Price Proposal and Schedule of Payments

Daily Fee. Consultant shall quote an all-inclusive Daily Fee for the contract period. The term "all-inclusive" implies that all costs (professional fees, communications, consumables, etc.) that could be incurred by the IC in completing the assignment are already factored into the daily fee submitted in the proposal. If applicable, travel or daily allowance cost (if any work is to be done outside the IC's duty station) should be identified separately. Payments shall be done on a monthly basis based on actual

days worked, upon verification of completion of deliverables and approval by the IC's supervisor of a Time Sheet indicating the days worked in the period.

Payment Schedule

Payments will be done upon completion of the deliverables/outputs based on number of days worked:

Deliverable 1: Progress report on way forward for TCRP – 15 days

Deliverable 2: Brief progress report on discussions with TCRP key stakeholders and preparations for the MPs induction – 20 days

Deliverable 3: Submit MPs induction workshop report – 15 days

Deliverable 4: Submit TCRP 2020 workplan – 20 days

Deliverable 5: update on the implementation of the TCRP workplan – 20 days

Deliverable 6: TCRP progress report – 20 days

In general, UNDP shall 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 event of unforeseeable travel not anticipated in this TOR, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and the Individual Consultant, prior to travel and will be reimbursed.

Evaluation Method and Criteria

Individual consultants will be evaluated based on the following methodology:

Cumulative analysis

The award of the contract shall 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 set of weighted technical criteria (70%). and financial criteria (30%). Financial score shall be computed as a ratio of the proposal being evaluated and the lowest priced proposal received by UNDP for the assignment.

Technical Criteria for Evaluation (Maximum 70 points)

Criteria 1: Minimum Bachelor's Degree or equivalent in Business Administration, Public Administration, Economics, Law, Political Sciences, Social Sciences or related field – 25%

Criteria 2: Minimum 4 years of relevant experience at the national or international level in providing management advisory services, practice in law, hands-on experience in design, monitoring and evaluation of development projects.

Criteria 3: Experience in the usage of computers and office software packages, experience in handling of web-based management systems. – 15% points

Criteria 4: Fluent in English and Tuvaluan and has the ability to translate civic education materials to local language – 15% point

Criteria 5: Excellent communication skills in written and spoken Tuvaluan language and in English – 15% points

Only candidates obtaining a minimum of 49 points (70% of the total technical points) would be considered for the Financial Evaluation.

Documentation required

Interested individual consultants must submit the following documents/information to demonstrate their qualifications electronically to etenderbox.pacific@undp.org or via UN Jobshop by 7 November 2019. Please group them into **one (1) single PDF document** as the application only allows to upload maximum one document.

- **Letter of Confirmation of Interest and Availability** using the template provided in Annex II.
- **Personal CV**, indicating all past experience from similar projects, as well as the contact details (email and telephone number) of the Candidate and at least three (3) professional references.
- **Technical proposal**, including a) a brief description of why the individual considers him/herself as the most suitable for the assignment; and b) a methodology, on how they will approach and complete the assignment.

Financial proposal, as per template provided in Annex II. Note:

Incomplete, joint proposals and proposals sent to the wrong mailing address will not be accepted. Individuals applying for this consultancy should apply and will be reviewed based on their own individual capacity. The successful individual may sign an Individual Contract with UNDP or request his/her employer to sign a Reimbursable Loan Agreement (RLA) on their behalf by indicating this in the Offerors letter to Confirming Interest and Availability using Annex II.

Annexes

Annex I - [Individual IC General Terms and Conditions](#)

Annex II – [Offeror's Letter to UNDP Confirming Interest and Availability for the Individual IC, including Financial Proposal Template](#)

For further information concerning these Terms of Reference, please contact Deepak Naicker on email deepak.naicker@undp.org.

Women applicants are encouraged to apply