**INDIVIDUAL CONSULTANT PROCUREMENT NOTICE** 

Date: 15th November 2019

Reference: ETH1006

**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:** National Consultant-**Democratic Institutions Reform**

**Consultant Level: Level B (Specialist)**

**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 consultant 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 ETH1006**) 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 FT through [info.procurementet@undp.org](mailto:info.procurementet@undp.org) . 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:

1. The Terms of Reference for the assignment described above;
2. The standard Letter of Confirmation of Interest and Availability, which you must accomplish and submit to UNDP; and
3. Breakdown of Costs template, to be filled to show the detail cost breakdown;
4. P11 templet to be filled by the individual applicant;
5. 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;
* Copy of education certificate;
* Completed technical proposal.
* Completed financial proposal.

**FINANCIAL PROPOSAL**

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| * **Lump sum contracts**   The financial proposal shall specify a total lump sum amount of fee, 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). |

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| Terms of reference  **Annex I** |  |

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| **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:** National Consultant**- Democratic Institutions Reform**  **Consultant Level:** Level B (Specialist)  **Duty Station:** Addis Ababa  **Expected Places of Travel: -**  **Duration:** Twelve months  **Expected Start Date:** Immediately after Signing the Contract  REQUIRED DOCUMENTATION FROM CONTRACTOR   |  |  | | --- | --- | |  | Letter of presentation highlighting main qualifications and experience relevant to this TOR | |  | CV /P11 | |  | Copy of education certificate | |  | Completed technical proposal  Completed Financial proposal | |
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1. **BACKGROUND / PROJECT DESCRIPTION**

The Justice and Legal Affairs Advisory Council was established in 2018 by the Office of the FDRE Attorney General to advise the Ethiopian Government in its pursuit of a comprehensive reform of the legal and justice system. It is instituted by Directive No.1/2018 of the Office of the Attorney. The reform on democratic institutions, which is part of the comprehensive reform of the legal and justice system will be spearheaded by The Legal and Justice Affairs Advisory Council. 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.

The Justice and Legal Affairs Council (JLAAC) comprising of thirteen legal professionals, has endorsed a strategic roadmap that charted out its core activities for the coming three years and also set up a Secretariat. The Secretariat, which is led by the Head and two Program Directors, are staffed with highly competent and experienced legal professionals serving as sub-program managers, officers and adequate pool of support personnel.

The programmatic focus of the Council and the organization of the Secretariat responds to core needs identified by the Government of Ethiopia on the eight designated sub-programs of the national reform agenda; namely: Legal Reform, Law Making Process, Judicial System, Criminal Justice System, Civil and Administrative Justice System, Democratic Institutions, Legal and Related Services, and Legal Training and Education. The Democratic Institutions’ reform initiative, headed by the secretariat, will have professionals with expertise in legal, public administration and democratic governance areas for advising and supporting the Secretariat and its various Technical Working Groups on day-to-day basis during a diagnostic study and also revisions of laws and justice systems.

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 deepening the democratization process is one.

1. **OBJECTIVES OF THE CONSULTANCY**

The main objectives of the consultancy service are to support the work of the Secretariat of the Legal and Justice Affairs Advisory Council in the area of Democratic Institutions reform. The consultant will:

* Provide research and technical assistance in the development of the normative framework that should guide the diagnostic study of the Democratic Institutions working group;
* Support the implementation of the activities of the working group in relation to its respective sub-program; and
* Support the implementation of specific program components as relating to democratic institutions;
* Provide policy and technical advisory services to the Implementing Government partner and UNDP.

1. **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 Working Group on Democratic Institutions towards undertaking diagnostic study and developing the normative frameworks that should govern the Institutions, and for the implementation of specific reform program components related to democratic institutions.

**Specific functions:**

The consultant’s role will include the following regarding the relevant subject-area:

* Provide operational support to the Democratic Institutions Reform working group through improved coordination and facilitation of work streams;
* coordinate and closely monitor the implementation of the transformational agenda deliverables, sub-deliverables and activities of the working group;
* provide high-calibre professional support, expertise and research assistance to the working group on Democratic Institutions and other sub-programs of the legal and justice reform as required;
* provide technical assistance to the working group in undertaking 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;
* undertake rigorous assessment of laws, institutional set-ups, performances and competence of selected 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 highly-researched, pragmatic reform packages that address the legal and institutional shortcomings in the area of work.
* 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 reform program roadmap, as needed;
* Prepare bi-monthly reports regarding the performance of the Democratic Institutions working group-including status report support, progress update for the reporting period, challenges and suggested remedies, and projected activities for next reporting period;
* Discharge any other task as may be assigned by the Head of the Secretariat;

1. **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 democratic institutions and governance dynamics and its role in the current context in Ethiopia. As such, the consultant’s professional input should result in the development of technically/politically/culturally sound legal framework for Democratic Institutions.

1. **Competencies**

***Corporate Competencies:***

* Demonstrates strong set of personal values including integrity, honesty and professionalism 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, democratization, justice and rule of law ;
* Ability to effectively engage with senior officials and advocate and provide policy advice;

##### ***Development and Operational Effectiveness***

* Sound understanding of the Ethiopian democratization and governance landscape;
* Strong understanding of and analytical skills in the political, economic and social dimensions of law in Ethiopia – mainly as relating to systems of governance, democratic institutions, law-making processes and administration of justice;
* Ability to analyse emerging trends with regard to institutional, policy and legal framework for the democratization and governance systems in Ethiopia; and
* provide evidence-based professional advice, practical and actionable proposals and recommendations;
* Experience in multi-stakeholder facilitation and consensus building;
* Ability to thrive in fast-moving, start-up environment with emphasis on high-performance, teamwork, accountability and results;
* Result oriented: ability to apply results-based management and reporting;
* 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;

1. **Required Qualifications**

**Education:**

* Advanced degree in governance studies, law, political science, International relations, development studies, or related field;

**Experience:**

* Experience in teaching, research or consultancy setting; two years of which should be in the field of governance, democratic institutions;
* Demonstrated experience in policy analysis, assessment, research in the field of governance, human/democratic rights;
* At least 5 years of progressively responsible experience in governance, civil society sector, justice and human rights analysis;
* Experience in the use of computers and office software package (MS Word, Excel, etc.) and knowledge of spreadsheet and database packages.

**Language requirements**: Fluency in English and Amharic.

1. **INSTITUTIONAL ARRANGEMENT / REPORTING RELATIONSHIPS**

The IC will be based at the office of Attorney General and will be expected to closely work with the Legal and Justice Affairs Advisory Council, particularly Democratic Institutions 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.

1. **DURATION OF THE ASSIGNMMENT**[[1]](#footnote-1)

The engagement of the IC will be for twelve months.

1. **ETHICAL CONSIDERATIONS, CONFIDENTIALITY AND PROPRIETARY INTERESTS**

* The consultant needs to apply standard ethical principles during the course of the evaluation. 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.

1. **DELIVERABLES**

* The consultant shall deliver the services specified on the ToR and a detailed work plan for the duration of the consultancy; and
* submit short monthly report on progress and challenges.

1. **CRITERIA FOR SELECTING THE BEST OFFER**

Upon the advertisement of the Procurement Notice, qualified Individual Consultant is expected to submit both the Technical and Financial Proposals. Accordingly; Individual Consultants will be evaluated based on Cumulative Analysis as per the following scenario:

* Responsive/compliant/acceptable, and
* Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation. In this regard, the respective weight of the proposals are:
  1. Technical Criteria weight is **70%**
  2. Financial Criteria weight is **30%**

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| --- | --- | --- | --- |
| **Criteria** | | **Weight** | **Max. Point** |
| **Technical Competence (based on CV, Proposal and interview (if required))** | | **70%** | 100 |
| Academic qualifications | |  | 20 |
| Relevant work experience | |  | 30 |
| Understanding the Scope of Work (SoW); comprehensiveness of the methodology/approach; and organization & completeness of the proposal | |  | 20 |
| **Financial (Lower Offer/Offer\*100)** | | **30%** | 30 |
| **Total Score** | **Technical Score \* 70% + Financial Score \* 30%** | | |

1. **PAYMENT MILESTONES AND AUTHORITY**

The prospective consultant will indicate the cost of services for one month in ETB **all-inclusive[[2]](#footnote-2) lump-sum contract amount** when applying for this consultancy. The consultant will be paid based on the effective UN exchange rate (where applicable), and only after approving authority confirms the successful completion of the tasks stipulated on the ToR for TA for Democratic Institutions Reform.

The qualified consultant shall receive his/her lump sum service fees on monthly basis upon certification of the completed tasks satisfactorily.

**OFFEROR’S LETTER TO UNDP**

**CONFIRMING INTEREST AND AVAILABILITY**

**FOR THE INDIVIDUAL CONTRACTOR (IC) ASSIGNMENT**

**Annex II**

Date

Dear Sir/Madam :

I hereby declare that :

1. I have read, understood and hereby accept the Terms of Reference describing the duties and responsibilities of Expert on Information Technology under the Establishing Long Term Agreements for Data Centers project;
2. I have also read, understood and hereby accept UNDP’s General Conditions of Contract for the Services of the Individual Contractors;
3. 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;
4. In compliance with the requirements of the Terms of Reference, I hereby confirm that I am available for the entire duration of the assignment;
5. I hereby propose to complete the services based on the following payment rate:

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.

1. 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;
2. This offer shall remain valid for a total period of \_\_\_\_\_\_\_\_\_\_\_ days [*minimum of 90 days*] after the submission deadline;
3. 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];*
4. 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:

1. 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 :

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| --- | --- | --- | --- | --- |
| **Assignment** | **Contract Type** | **UNDP Business Unit / Name of Institution/Company** | **Contract Duration** | **Contract Amount** |
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* I am also anticipating conclusion of the following work from UNDP and/or other entities for which I have submitted a proposal :

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| --- | --- | --- | --- | --- |
| **Assignment** | **Contract Type** | **Name of Institution/ Company** | **Contract Duration** | **Contract Amount** |
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1. 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.
2. ***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.
3. 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:**

* CV
* Breakdown of Costs Supporting the Final All-Inclusive Price as per Template
* Brief summary of experience, qualifications, and skill relevant to this assignment

**BREAKDOWN OF COSTS**

**SUPPORTING THE ALL-INCLUSIVE FINANCIAL PROPOSAL**

1. **Breakdown of Cost by Components:**

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| --- | --- | --- | --- |
| **Cost Components** | **Unit Cost** | **Quantity** | **Total Rate for the Contract Duration** |
| 1. **Personnel Costs** |  |  |  |
| Professional Fees |  |  |  |
| Life Insurance |  |  |  |
| Medical Insurance |  |  |  |
| Communications |  |  |  |
| Land Transportation |  |  |  |
| Others (pls. specify) |  |  |  |
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| 1. **Travel Expenses to Join duty station** |  |  |  |
| Round Trip Airfares to and from duty station |  |  |  |
| Living Allowance |  |  |  |
| Travel Insurance |  |  |  |
| Terminal Expenses |  |  |  |
| Others (pls. specify) |  |  |  |
|  |  |  |  |
| 1. **Duty Travel** |  |  |  |
| Round Trip Airfares |  |  |  |
| Living Allowance |  |  |  |
| Travel Insurance |  |  |  |
| Terminal Expenses |  |  |  |
| Others (pls. specify) |  |  |  |
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1. **Breakdown of Cost by Deliverables\***

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| --- | --- | --- | --- | --- |
| **No** | **Deliverables/ Outputs** | **Monthly Rate of payment in ETB** | **Total Number of Months** | **Total Payment in ETB** |
| 1 | Monthly Delivery of the services specified on the ToR and a detailed work plan for the duration of the consultancy; and  submit short monthly report on progress and challenges. |  |  |  |

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.*  [↑](#footnote-ref-1)
2. *The term “All inclusive” implies that all costs (professional fees, travel costs, living allowances, communications, consummables, etc.) that could possibly be incurred by the Contractor are already factored into the final amounts submitted in the proposal* [↑](#footnote-ref-2)