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PROCUREMENT NOTICE LEGAL CONSULTANT TO THE NATIONAL ELECTIONS COMMISSION

PROCUREMENT NOTICE No. IC/UNDP/NATL/NEC/2020/051 – READVERTISEMENT

Date: November 10, 2020

Country: Liberia

Country: Liberia

Duty Station: Monrovia

Description of the assignment: LEGAL CONSULTANT TO THE NATIONAL ELECTIONS COMMISSION Re-advertisement

Project name: Elections Project
Duty Station: Monrovia, Liberia
Start Date: Immediate
Duration of Assignment: 3 Months
Contract type: National Individual Contractor
Languages: English

Proposals should be submitted at the following address: by email to bids.lr@undp.org (Please include procurement notice number in the subject area- **No. IC/UNDP/NATL/NEC/2020/051**) All bids should be submitted no later than **Sunday, 15 November 2020 at 12:00 NOON (GMT)**. Any request for clarification must be sent by standard electronic communication to the address or e-mail indicated below: info.lr.procurement@undp.org

UNDP will respond 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. **Please note that persons who have applied previously should not re-apply.**

1. Background

As NEC prepares for the Special Senatorial Elections and Constitutional Referendum on December 8, 2020, critical challenges need to be overcome to ensure that the elections are credible, transparent, inclusive, and peaceful. NEC's legal capacity and capacity of its relevant sections and departments have improved during the past processes, including through the UNDP and other partners' support and training. Nevertheless, full capacity yet remains to be built. As such, NEC continues facing challenges in dealing with legal matters that arise from the electoral process.

A key recommendation from the 2017 elections observers' reports called for strengthening the capacity of the legal and hearing sections to avoid legal lapses and irregularities observed during the 2017 elections. These recommendations also mirror in the NEC 2018 – 2024 Strategic Plan that commits to legal offices' long-term capacity development. Therefore, NEC is seeking a national Legal Specialist (Consultant) to support the legal and hearing teams of NEC during the electoral process and to represent NEC at the Supreme Court.

III. Scope of Work

Under the direct supervision of the NEC Hearing and legal Sections, the National Legal Advisor shall perform the following:

- Work closely with NEC HQ and Magisterial Offices to advice on legal matters and election related complaints;
- Build capacity of NEC Magisterial Offices in the matter of complaints and legal tracking system (cascade training, Training of Trainers, on-the-job training);
- Alert NEC and UNDP of any possible legal and complaints issues resulting from the electoral process;
- Assist the NEC in its long-term capacity building efforts;
- Prepare Legal memorandum on legal issue before the NEC;
- Support NEC in preparing cases and legal representation in election matters on appeal before the Supreme Court of Liberia;
- Assist the NEC to interpret, review and act on all challenges and appeals in front of the Supreme Court of Liberia; prepare organize and submit case files to the Supreme Court;
- Represent NEC in the Supreme Court cases;
- Perform other related duties as directed by the CTA, International Legal/EDR Consultant, and NEC.

IV. Deliverables

Deliverable	Due date	Payment
Complaints are resolved in a timely manner and in line with the national law and international standards and best practices. Legal memorandums prepared for cases in front of NEC during the electoral process. Case briefs submitted to the Supreme Court by NEC. Representation at the Supreme Court Hearings ensured.	30 December 2021	35%
Complaints are resolved in a timely manner and in line with the national law and international standards and best practices. Legal memorandums prepared for cases in front of NEC during the electoral process. Case briefs submitted to the Supreme Court by NEC. Representation at the Supreme Court Hearings ensured.	30 January 2021	35%
Compilation of the Supreme Court Cases is updated	28 February 2021	30%

Lessons learnt are drawn Final report is submitted		
Payments are subject to submission of regular reports by the Consultant, duly approved and certified by the National Elections Commission, UNDP Chief Technical Adviser for the Election Project and UNDP Project Management and Support Unit.		

V. Impact of Results

The consultancy is designed to mitigate legal challenges during the 2020 elections and build the capacity of NEC's legal and hearing offices and electoral stakeholders. It is expected to also mitigate electoral violence through the promotion of legal ways to resolve electoral disputes.

VI. Recruitment Qualifications	
Education:	Advanced Degree in Law
Experience:	<ul style="list-style-type: none"> ➤ A minimum of five (5) years of experience practicing law in Liberia ➤ must be a member of the Supreme Court Bar of Liberia (Counselor of Law) ➤ Experience in drafting legal opinions and briefs for the Supreme Court is required ➤ Experience in drafting or reviewing laws and regulations and specific experience in EDR is an asset ➤ United Nations experience or positions in similar international organisation is an asset
Language Requirements:	<ul style="list-style-type: none"> ➤ Fluency in English, excellent oral and written communication skills and outstanding interpersonal skills

Core Competencies

- Strong organizational, analytical and writing skills;
- Ability to work strategically to realize organizational goal;
- Result oriented, strong team player with good interpersonal and organizational skills;
- Ability to work independently and under pressure and to meet deadlines;
- Ability to handle multiple tasks without compromising the quality of work.

Documents to be included when submitting the proposals:

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

1. Proposal:

(i) Explaining why they are the most suitable for the work (1 page); detailed methodology on how they will approach and conduct the work

2. Financial proposal

3. Personal CV including experience in similar projects and at least 3 references

a) Financial Proposal

The financial proposal shall specify an all-inclusive daily fee. Payments will be made to the Individual Consultant based on specific and measurable deliverables as specified in the TOR upon completion of all deliverables.

b) Evaluation

Individual consultants will be evaluated based on the following methodologies:

Cumulative analysis

Award of the contract will 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

** Technical Criteria; 70 points]*

** Financial Criteria; [30 points]*

Only candidates obtaining a minimum of 70% of the maximum points would be considered for the financial evaluation

The technical revision of CVs will consider the following criteria:

1. Relevance of Academic Qualifications
2. Professional Experience in similar projects
3. Appropriateness of proposed methodology for the requirement
4. Adequacy of Competencies and Skills for the Assignment

ANNEXES

ANNEX 1- TERMS OF REFERENCES (TOR)

ANNEX 2- INDIVIDUAL CONSULTANT GENERAL TERMS AND CONDITIONS

ANNEX 3 – OFFEROR'S LETTER TO UNDP CONFIRMING INTEREST AND AVAILABILITY FOR THE INDIVIDUAL CONTRACTOR (IC) ASSIGNMENT