



REQUEST FOR PROPOSAL (RFP)

UNDP Albania Str. Skenderbej, Gurten Centre, 2nd floor, Tirana, Albania	DATE: August 2, 2021
	REFERENCE: Supporting and Advancing Local Governance Reforms - "STAR3" Project ID: 00115505

Dear Sir / Madam:

We kindly request you to submit your Proposal for services "**Promoting Public Consultation and Participation at Local Level**".

Please be guided by the form attached hereto as Annex 2, in preparing your Proposal. Proposals may be submitted on or before Wednesday, September 08, 2021 at 14:00 hrs via eTendering.

Allowable Manner of submitting proposals: **e-Tendering only. Bids not sent in e-Tendering system will not be considered.** Proposal Submission address: <https://etendering.partneragencies.org>

Please acknowledge receipt of this RFP by using the "Accept Invitation" function in e-tendering system. This will enable you to receive amendments or updates to the RFP. Please find the link for all procurement guides and videos:

<https://www.undp.org/content/undp/en/home/procurement/business/resources-for-bidders.html>

Electronic submission (e-Tendering) requirements:

- Format: PDF files only
- File names must be maximum 60 characters long and must not contain any letter or special character other than from Latin alphabet/keyboard.
- All files must be free of viruses and not corrupted.
- Max. File Size per transmission: 35 MB
- UNDP reserves the rights to ask for originals during the evaluation.

Please name the submitted files following the structure and the solicitation document and consolidate the files into as few files as possible, using compression tools (ZIP etc.).

Your Proposal must be expressed in the English Language, and valid for a minimum period of 120 (one hundred and twenty) days.

In the course of preparing your Proposal, it shall remain your responsibility to ensure that it reaches the address above on or before the deadline. Proposals that are received by UNDP after the deadline indicated above, for whatever reason, shall not be considered for evaluation. Services proposed shall be reviewed and evaluated based on completeness and compliance of the proposal and responsiveness with the requirements of RFP and all other annexes providing details of UNDP requirements.

The Proposal that complies with all of the requirements, meets all the evaluation criteria and offers the best value for money shall be selected and awarded the contract. Any offer that does not meet the requirements shall be rejected.

Any discrepancy between the unit price and the total price shall be re-computed by UNDP, and the unit price shall prevail, and the total price shall be corrected. If the Contractor does not accept the final price based on UNDP's re-computation and correction of errors, its Proposal will be rejected.

No price variation due to escalation, inflation, fluctuation in exchange rates, or any other market factors shall be accepted by UNDP after it has received the Proposal. At the time of Award of Contract or Purchase Order, UNDP reserves the right to vary (increase or decrease) the quantity of services and/or goods, by up to a maximum twenty-five per cent (25%) of the total offer, without any change in the unit price or other terms and conditions.

Any Contract or Purchase Order that will be issued as a result of this RFP shall be subject to the General Terms and Conditions attached hereto. The mere act of submission of a Proposal implies that the Contractor accepts without question the General Terms and Conditions of UNDP, herein attached as Annex 3.

Please be advised that UNDP is not bound to accept any Proposal, nor award a contract or Purchase Order, nor be responsible for any costs associated with a Contractors preparation and submission of a Proposal, regardless of the outcome or the manner of conducting the selection process.

UNDP's vendor protest procedure is intended to afford an opportunity to appeal for persons or firms not awarded a Purchase Order or Contract in a competitive procurement process. In the event that you believe you have not been fairly treated, you can find detailed information about vendor protest procedures in the following link:

<http://www.undp.org/content/undp/en/home/operations/procurement/business/protest-and-sanctions.html>

UNDP encourages every prospective Contractor to prevent and avoid conflicts of interest, by disclosing to UNDP if you, or any of your affiliates or personnel, were involved in the preparation of the requirements, design, cost estimates, and other information used in this RFP.

UNDP implements a zero tolerance on fraud and other proscribed practices, and is committed to preventing, identifying and addressing all such acts and practices against UNDP, as well as third parties involved in UNDP activities. UNDP expects its Contractors to adhere to the UN Supplier Code of Conduct found in this link :

https://www.un.org/Depts/ptd/sites/www.un.org.Depts.ptd/files/files/attachment/page/pdf/unscoc/conduct_english.pdf

Thank you and we look forward to receiving your Proposal.

Sincerely yours,



Nuno Queiros
Deputy Resident Representative

Description of Requirements

Context of the Requirement	<p>Public consultation and engagement in decision-making are cornerstones of local democracy, good governance, and an essential instrument for increasing the effectiveness of government policy making.</p> <p>Albanian local self-governments have made some progress in the area of the right to information and participation. Progress has been made by municipalities, especially in participatory budgeting due to explicit procedures required to be followed in the budgeting process by the Law on Local Self Government Finances. Municipal Councils are also equipped with tools and know-how to better paly their role related to consultation of municipal acts.</p> <p>However, despite developments in the legislation area and the development of some positive practices, civic participation in decision-making and consultation with local communities remains low. The institutional framework for effective and inclusive participation needs further strengthening to ensure meaningful participatory decision-making at local level.</p> <p>The territorial administrative reform, as a result of which comes the enlargement of the territories under the administration of individual local self-government units and the increase of the number of citizens in these units, are challenges to be addressed through the proper application of the laws and of innovative instruments to ensure wider engagement of all groups.</p> <p>The 2nd Local Governance Mapping carried out in the framework of STAR 2 Project during January – February 2020, pointed out as major concerns, from both the public and local government, and the lack of activism, engagement and influence of civil society and communities in local governance matters as well as absence of proper citizen participation platforms, public consultation opportunities and dissatisfaction with the levels of information provided by local governments. What municipalities offer today, in response to legal requirements to inform, interact with and engage citizens, is still far from meaningful and significant in most cases.</p> <p>Similarly, low levels of trust in public institutions, inadequate opportunities for participation and lack or perspective that the situation will be remedied soon are also part of the results assessed by the annual UNDP's Trust in Governance Opinion Poll conducted throughout the country.</p> <p>The executive body of municipality, responsible for major part of the policymaking stages has a crucial part to play in ensuring meaningful consultation and engagement since the early stages of such cycle in order for municipal acts to reflect and respond to the needs of community and in increasing the citizens trust in local governance.</p> <p>It is clear that. change might happen only if local government employ a proactive role to strengthen commitment of and empower all stakeholders. To do so, local governments need to establish systematic engagement mechanisms for planning,</p>
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	implementation and reporting on participation and consultation of local decision-making, including also feedback mechanisms to citizens and other stakeholders.
Implementing Partner of UNDP	Ministry of Interior (Mol)
Brief Description of the Required Services ¹	<p>The purpose of this consultancy is to develop, in selected municipalities, a systematic, and sustainable engagement practice with citizens through specific assistance related to the detailed planning of consultation processes and use of innovative approaches for promoting participatory decision making.</p> <p>With considerations for local governments as bodies constituted by two interrelated parts, the executive and the legislative, <u>the present task has in focus the assistance to the municipal executive body</u>, as an integral part of the public policy cycle.</p> <p><u>The project will support up to seven selected municipalities</u>, selected on the basis of pre-defined criteria, to establish and consolidate in practice the key elements of public engagement and consultation cycle.</p> <p>The objective of this exercise is to establish a good and replicable practice, disseminated to the rest of municipalities, with the aim of making this practice a standard for local level consultation processes.</p> <p>Major stages of the assignment include:</p> <p>1. <u>Inception Phase</u></p> <p>This phase includes two parallel actions:</p> <p><i>Selection of target municipalities</i></p> <ul style="list-style-type: none"> a) Issue of a call for expression of interest – as one of the key selection criteria will be the municipal voluntarism to participate, a call for expression of interest will be issued to all municipalities to gather the level of existing practice of participatory decision-making and the interest from the municipalities themselves to engage in this capacity building exercise. The call will be issued jointly by STAR3 project and the Service Provider. b) Development and finalization of selection criteria – selection the criteria will consider diversity in terms of size and geographic distribution as well as the readiness of the municipalities to undergo the planned activities and the municipal capacities to absorb and sustain the assistance. c) Application of the criteria for selecting the target municipalities – the application of the selection criteria will lead to the identification of seven municipalities for the focus of the assistance. Applications will be reviewed by a commission, including representatives from local government associations, Ministry of Interior and UNDP. STAR3

¹ A detailed TOR may be attached if the information listed in this Annex is not sufficient to fully describe the nature of the work and other details of the requirements.

	<p>project partners may be also part of the selection process upon expression of interest.</p> <p><i>Preparatory work</i></p> <ul style="list-style-type: none"> a) Review legislation, research, studies, assessments and technical documents on public consultation and participation developed by the government, local governments, non-governmental organization and development partners with relevance to the local level. b) Consultation and identification of complementarities, synergies, and harmonization with the SDC assistance for public consultation to municipal councils c) Conclusion of the inception phase with an Inception Report, which includes a) the detailed description of each task, the approach(es) to be used, the timeline, and the deliverables as prescribed in this ToR; and b) recommendations to ensure gender mainstreaming and the engagement of vulnerable groups. <p><u>2. Full process development with selected municipalities</u></p> <p><i>Mapping of municipal business processes for consultation and participation</i></p> <ul style="list-style-type: none"> a) A quick assessment on consultation practices and systems in the seven municipalities shall take place at the beginning of the assignment, including a) review and analysis of regulations in place at municipal level, and b) collection of data through questionnaires and in-depth interviews. Upon conduction of the assessment, the Service Provider shall submit an Assessment Report including main findings of the assessment. Practices or mechanisms ensuring inclusion of vulnerable groups and women shall be of particular focus of this assessment as well. b) A detailed workplan and a schedule for the implementation of the assistance of all the distinct phases defined in this ToRs will be discussed and agreed with each selected municipality. <p><i>Drafting the Annual Plan of Consultations and Engagement</i></p> <ul style="list-style-type: none"> a) Based on the finding and recommendations of the assessment, the Service Provider will work with the municipality (the executive) to address gaps and shape an approach that includes the identification of the following: <ul style="list-style-type: none"> - Areas of decision-making subject to consultation during the year - Necessary resources to support the implementation - Timelines and actions to be undertaken, - Stakeholders and engagement mechanisms to ensure the targeted outreach - Communication in different steps foreseen and mutual exchange of information.
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	<p>b) The above ingredients will serve for drafting the municipal Annual Consultation Plan. The Service Provider will support the municipality for the drafting, publication, consultation and approval of the Annual Consultation Plan.</p> <p><i>Real Life Public Consultation</i></p> <p>a) Implementing real life consultation shall come as a follow up action for the implementation of the annual consultation plan. Assistance will focus in detailing the organization plan of consultations from identification of conditions and issues to be addressed, options to address identified issues and solutions. Specific efforts in this process will dedicate to</p> <ul style="list-style-type: none"> - development of the content and creation of materials to inform the discussions, - mapping of stakeholders, - notification, invitation and getting people to participate, - facilitating elements, - report writing in support to decision-making/feedback mechanism. <p>b) As part of this activity, the Service Provider will support at least two consultation processes, contained in the Annual Consultation Plans of each of the seven selected municipalities. The processes selected will feature some of the following characteristics: have an important impact in the life of citizens, including investments planning, strategic planning, or other important issues of concern for citizens with special emphasis on women and vulnerable groups. The service provider will support at least 14 consultation processes in 7 selected municipalities.</p> <p><i>Annual Reporting support</i></p> <p>a) Emphasis through all stages of consultation will be on communication and feedback mechanism to the citizens. A feedback report template will be designed to be used as a transparency and feedback tool. As part of this stage, municipalities will be assisted to monitor and evaluate their individual consultation processes against standards defined by law.</p> <p>b) This tool will feed the drafting of the Annual Reporting, which Model will be developed as an instrument for keeping the municipality accountable and as part of the legal requirements.</p> <p>c) Part of the annual reporting model on transparency in decision-making shall be key elements, encouraging municipalities' performance reporting and transparency compliance, focusing also on gender disaggregated data on participation.</p> <p><u>3. Knowledge dissemination</u></p> <p>The Service Provider will propose a strategy for the dissemination and knowledge sharing with the rest of municipalities. This shall come as a transversal action accompanying the</p>
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	entire process and actions for the establishment of this practice. The dissemination and knowledge sharing approach shall be part of the bidding proposal and shall include several milestones to inform and engage the rest of municipalities during the implementation of the assistance in the seven selected ones. A final event to promote the champions and ensure knowledge sharing will be an instrument to ensure knowledge sharing and convey key messages on the established practice.
List and Description of Expected Outputs to be Delivered	<p>List of deliverables:</p> <ol style="list-style-type: none"> 1. Inception Report x 1 2. Assessment Reports x 7 (one for each of the seven selected municipalities) 3. Annual Consultation Plans approved x 7 (one for each of the seven selected municipalities) 4. Real consultation processes fully documented x 14 (two for each of the seven selected municipalities) 5. Annual Consultation Reports x 7 (one for each of the seven selected municipalities) 6. Full set of templates for the Annual Consultation Plan, Consultation Process Monitoring, Individual Consultation Report, Annual Consultation Report x 1 7. Dissemination events engaging the remaining 54 municipalities x 4 8. Closing national event x 1
Person to Supervise the Work/Performance of the Contractor	The Contractor will work under the overall supervision of UNDP Albania /STAR3, to which the Contractor will directly report, seek approval, and obtain the acceptance of deliverables. Upon the completion of work assignments, the supervisor will evaluate the consultant's work, certify relevant documents and process/follow-up on the payments.
Frequency of Reporting	The Contractor will submit Monthly Progress Reports on the implementation of the assignment and a concluding Final Report. Moreover, monthly meetings with UNDP/STAR3 are recommended. As part of UNDP's gender mainstreaming principles, the Contractor shall maintain and provide gender disaggregated data during the implementation of this assignment. In addition, the Contractor shall comply with the Visibility Strategy and Action Plan of STAR3 project and report accordingly.
Progress Reporting Requirements	Written Communication
Location of work	The Contractor will work at its location, with a combination of field visits in the 7 selected municipalities to be assisted through this assignment.
Expected duration of work	15 months
Target start date	30 September 2021
Latest completion date	26 December 2022
Travels Expected	For the purpose of the contract travel is expected to the 7 beneficiary municipalities. The travel arrangements shall be finalized once the inception phase is finalized.
	N/A

Special Security Requirements	
Facilities to be Provided by UNDP (i.e., must be excluded from Price Proposal)	N/A
Implementation Schedule indicating breakdown and timing of activities/sub-activities	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required
Names and curriculum vitae of individuals who will be involved in completing the services	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required
Currency of Proposal	<input type="checkbox"/> United States Dollars <input type="checkbox"/> Euro <input checked="" type="checkbox"/> Local Currency
Value Added Tax on Price Proposal ²	<input checked="" type="checkbox"/> must be inclusive of VAT and other applicable indirect taxes <input type="checkbox"/> must be exclusive of VAT and other applicable indirect taxes
Validity Period of Proposals (Counting for the last day of submission of quotes)	<input type="checkbox"/> 60 days <input type="checkbox"/> 90 days <input checked="" type="checkbox"/> 120 days In exceptional circumstances, UNDP may request the Proposer to extend the validity of the Proposal beyond what has been initially indicated in this RFP. The Proposal shall then confirm the extension in writing, without any modification whatsoever on the Proposal.
Partial Quotes	<input checked="" type="checkbox"/> Not permitted <input type="checkbox"/> Permitted
	Please note that based on the technical and financial evaluation criteria specified below in this RfP, UNDP will select a single Contractor to carry out the work. UNDP shall affect payments to the Contractor after acceptance by UNDP of the deliverables (with a prior clearance from the STAR3), submission of the

² VAT exemption status varies from one country to another. Pls. check whatever is applicable to the UNDP CO/BU requiring the service.

Payment Terms ³	corresponding invoices submitted by the Contractor, and in accordance with the following schedule of payments corresponding to the achievement of the indicated milestones and deliverables. (please refer to the ToRs for details).		
	Activity	Timeline	Percentage per deliverable
	Inception Phase: Inception Report	Month 0-2	10%
	Full Process development with Selected Municipalities: Assessment Reports for Seven selected Municipalities	Month 3-5	25 %
	Annual Consultation Plans approved for seven selected Municipalities Real Life Public Consultation: 14 Real consultation processes fully documented (2 for each selected municipality)	Month 6-11	30%
	Annual Reporting Support: A Full set of templates for the Annual Consultation Plan, Consultation Process Monitoring, Individual Consultation Report, Annual Consultation Report	Month 12-14	20%
	Knowledge Dissemination: - At least 4 dissemination events engaging the rest of 54 Municipalities - 1 Closing National Event	Month 14-15	15%
	Total		100%
Person(s) to review/inspect/ approve outputs/completed services and authorize the disbursement of payment	STAR3 Project Manager		
Type of Contract to be Signed	<input checked="" type="checkbox"/> Purchase Order <input type="checkbox"/> Institutional Contract <input checked="" type="checkbox"/> Contract for Professional Services		

³ UNDP preference is not to pay any amount in advance upon signing of contract. If the Contractor strictly requires payment in advance, it will be limited only up to 20% of the total price quoted. For any higher percentage, or any amount advanced exceeding \$30,000, UNDP shall require the Contractor to submit a bank guarantee or bank cheque payable to UNDP, in the same amount as the payment advanced by UNDP to the Contractor.

	<input type="checkbox"/> Long-Term Agreement ⁴ <input type="checkbox"/> Other Type of Contract
Criteria for Contract Award	<input type="checkbox"/> Lowest Price Quote among technically responsive offers <input checked="" type="checkbox"/> Highest Combined Score (based on the 70% technical offer and 30% price weight distribution) <input checked="" type="checkbox"/> Full acceptance of the UNDP Contract General Terms and Conditions (GTC). This is a mandatory criterion and cannot be deleted regardless of the nature of services required. Non-acceptance of the GTC may be grounds for the rejection of the Proposal.
Criteria for the Assessment of Proposal	<p><u>Technical Proposal (70%)</u></p> <input checked="" type="checkbox"/> Expertise of the Firm 30% <input checked="" type="checkbox"/> Methodology, Its Appropriateness to the Condition and Timeliness of the Implementation Plan 40% <input checked="" type="checkbox"/> Management Structure and Qualification of Key Personnel 30% <p><u>Financial Proposal (30%)</u></p> <p>To be computed as a ratio of the Proposal's offer to the lowest price among the proposals received by UNDP.</p>
UNDP will award the contract to:	<input checked="" type="checkbox"/> One and only one Contractor <input type="checkbox"/> One or more Contractors, depending on the following factors:
Contract General Terms and Conditions ⁵	<input checked="" type="checkbox"/> General Terms and Conditions for contracts (goods and/or services) <input type="checkbox"/> General Terms and Conditions for de minimis contracts (services only, less than \$50,000) <p>Applicable Terms and Conditions are available at: http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html </p>
Annexes to this RFP ⁶	<input checked="" type="checkbox"/> Form for Submission of Proposal (Annex 2) <input checked="" type="checkbox"/> Detailed TOR <input type="checkbox"/> Others ⁷

⁴ Minimum of one (1) year period and may be extended up to a maximum of three (3) years subject to satisfactory performance evaluation. This RFP may be used for LTAs if the annual purchases will not exceed \$200,000.00.

⁵ Contractors are alerted that non-acceptance of the terms of the General Terms and Conditions (GTC) may be grounds for disqualification from this procurement process.

⁶ Where the information is available in the web, a URL for the information may simply be provided.

⁷ A more detailed Terms of Reference in addition to the contents of this RFP may be attached hereto.

Contact Person for Inquiries (Written inquiries only) ⁸	<p><i>UNDP Albania Procurement Unit</i></p> <p>Any delay in UNDP's response shall be not used as a reason for extending the deadline for submission, unless UNDP determines that such an extension is necessary and communicates a new deadline to the Proposers.</p>
Other Information [pls. specify]	N/A

⁸ This contact person and address is officially designated by UNDP. If inquiries are sent to other person/s or address/es, even if they are UNDP staff, UNDP shall have no obligation to respond nor can UNDP confirm that the query was received.

FORM FOR SUBMITTING CONTRACTOR'S PROPOSAL⁹

(This Form must be submitted only using the Contractor's Official Letterhead/Stationery¹⁰)

[insert: Location].

[insert: Date]

To: [insert: Name and Address of UNDP focal point]

Dear Sir/Madam:

We, the undersigned, hereby offer to render the following services to UNDP in conformity with the requirements defined in the RFP dated [specify date] , and all of its attachments, as well as the provisions of the UNDP General Contract Terms and Conditions :

A. Qualifications of the Contractor

The Contractor must describe and explain how and why they are the best entity that can deliver the requirements of UNDP by indicating the following :

- a) *Profile – describing the nature of business, field of expertise, licenses, certifications, accreditations;*
- b) *Business Licenses – Registration Papers, Tax Payment Certification, etc.*
- c) *Latest Audited Financial Statement – income statement and balance sheet to indicate its financial stability, liquidity, credit standing, and market reputation, etc. ;*
- d) *Track Record – list of clients for similar services as those required by UNDP, indicating description of contract scope, contract duration, contract value, contract references;*
- e) *Certificates and Accreditation – including Quality Certificates, Patent Registrations, Environmental Sustainability Certificates, etc.*
- f) *Written Self-Declaration that the company is not in the UN Security Council 1267/1989 List, UN Procurement Division List or Other UN Ineligibility List.*

B. Proposed Methodology for the Completion of Services

The Contractor must describe how it will address/deliver the demands of the RFP; providing a detailed description of the essential performance characteristics, reporting conditions and quality assurance mechanisms that will be put in place, while demonstrating that the proposed methodology will be appropriate to the local conditions and context of the work.

⁹ This serves as a guide to the Contractor in preparing the Proposal.

¹⁰ Official Letterhead/Stationery must indicate contact details – addresses, email, phone and fax numbers – for verification purposes

C. Qualifications of Key Personnel

If required by the RFP, the Contractor must provide :

- a) Names and qualifications of the key personnel that will perform the services indicating who is Team Leader, who are supporting, etc.;
- b) CVs demonstrating qualifications must be submitted if required by the RFP; and
- c) Written confirmation from each personnel that they are available for the entire duration of the contract.

D. Cost Breakdown per Deliverable*

	Deliverables <i>[list them as referred to in the RFP]</i>	Percentage of Total Price <i>(Weight for payment)</i>	Price <i>(Lump Sum, All Inclusive)</i>
1	Deliverable 1		
2	Deliverable 2		
3		
	Total	100%	

**This shall be the basis of the payment tranches*

E. Cost Breakdown by Cost Component [This is only an Example]:

Description of Activity	Remuneration per Unit of Time	Total Period of Engagement	No. of Personnel	Total Rate
I. Personnel Services				
1. Services from Home Office				
a. Expertise 1				
b. Expertise 2				
2. Services from Field Offices				
a. Expertise 1				
b. Expertise 2				
3. Services from Overseas				
a. Expertise 1				
b. Expertise 2				
II. Out of Pocket Expenses				
1. Travel Costs				
2. Daily Allowance				
3. Communications				
4. Reproduction				
5. Equipment Lease				
6. Others				
III. Other Related Costs				

[Name and Signature of the Contractor's Authorized Person]

[Designation]

[Date]

Terms of Reference (ToR)

Promoting Public Consultation and Participation at Local Level

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1. CONTEXT

1.1. Importance of public Engagement and consultation

Public consultation and engagement in decision-making are cornerstones of local democracy, good governance, and an essential instrument for increasing the effectiveness of government policy making.

The benefits are twofold; on one side, public consultations increase the information available to policy makers, clarify expectations and bring in policy alternatives when taking decisions. They also bring in the discussion the perspectives and ideas of those directly affected and seek for acceptable options to balance opposing interests and avoiding unintended effects and potential problems. On the other hand, consultations bring on the table additional expertise and perspectives, help build public trust on institutions, enhance compliance and legitimacy, and motivate affected parties to engage and contribute.

In the contemporary context, where low public trust in government prevails, public consultations take on greater importance, especially if governments can find ways to leverage technology to increase engagement in policy development. The annual publication of Trust in Governance, a tool that measures the trust of citizens towards governments indicates that 49% of the Albanian population was interested in participating in the decision making process of public institutions, and only 38% of respondents believed that suggestions from civil society are taken into consideration.

To increase trust in local government and facilitate better interaction between citizens and local governments, a comprehensive approach of engaging citizens in local policy and decision making is necessary. Such engagement is envisioned in all the stages of the public policy making cycle:

- i) Preference revelation: The initial stage of any policy formulation. Before policies can be formulated, people must be able to express what objectives they want to achieve, what they need to improve or change, and how.
- ii) Policy choice: The stage at which policies are formulated and decisions taken regarding the allocation of resources amongst alternative uses. As different patterns of resource allocation will serve the interests of different groups of people differently, conflicts of interest are inherent in any process of policy formulation. In whose favor a conflict is resolved depends very much on who can participate effectively in the process. Traditionally, vulnerable and marginalized groups are left out, as they do not have enough political or financial power to make their interests count. A human rights approach must take steps to alter this situation, by creating a legal-institutional framework in which people living in poverty can participate effectively in policy formulation.
- iii) Implementation: Although the implementation of policies is primarily the responsibility of the executive arm of the State, opportunities must be created to enable vulnerable groups of interest to exercise their right to participate in it as well.
- vi) Monitoring and Assessment: It is an essential feature of the human rights approach that the people who are affected by policies are able to participate in monitoring and assessing their success or failure and then take part in the procedures for holding the duty-bearers accountable for their human rights obligations. Appropriate institutional arrangements are needed for such participation to be possible.

The success of public consultation depends on the competence and good judgement of public servant(s) making the decisions and the quality and fullness of the consultation process. As perfect processes responding to the diversity of themes to consult are beyond real life reach, this problem might be circumvented or mitigated by

establishing more rigid or standard public consultations, implement them correctly, and therefore build a culture and system that promotes and makes use of such processes.

Institutionalization of participatory practices is considered a sustainable process of changing the ways in which things are done, of "building in" the new participatory process into the procedures, ideas and practices of local stakeholders and institutions until it becomes routine.

1.2. ALBANIA'S LEGAL FRAMEWORK ON PUBLIC CONSULTATIONS AND ITS RELEVANCE FOR LOCAL GOVERNMENTS

In Albania, there is generally sufficient legislation that not only encourages civic participation, but also obliges local self-government institutions to follow transparent and participatory decision-making processes with the participation of the community.

Especially, starting from 2014, the legislation has made a qualitative step in guaranteeing citizen participation in local decision-making. This legislation is based on the best practices of countries with a consolidated democratic culture and in line with European and international standards for civic engagement in decision-making processes.

In terms of obligations for consultation and participation, local self-government is treated the same as the central one, therefore, it has the obligation to notify and ensure public participation and consultations in the decision-making process. This obligation at the local government level becomes even more necessary, given the fact that local self-government institutions provide services and make decisions that directly benefit and affect the local communities.

Below follows a summary of the main relevant legislation in force related to public consultation and participation obligations of public bodies.

In fall 2014, the Albanian Parliament adopted two fundamental laws: The Law 119/2014 "On the Right to Information" and the Law 146/2014 "On the Notification and Public Consultations".

The **Law 119/2014 "On the Right to Information"** aims to guarantee the provision of information to the public in the context of the rights and freedoms of the individual. The provisions of this Law aim to promote the integrity, transparency and accountability of public authorities. On the other hand, The Law obliges public authorities to make certain categories of information available proactively and determines deadlines and sanctions for not providing information as part of the transparency Programme for the institution and make it public

The **Law 146/2014 "On the Notification & Public Consultations"** is the first direct legal instrument for stakeholders and the public to participate and influence the decision making of the government authorities. This Law regulates the processes of notification and public consultation of draft laws as well as policies of high public interest. It sets out the procedural rules to be implemented to ensure transparency and public participation in policy and decision-making processes by public bodies (central and local) and likewise aims to promote transparency, accountability and integrity of public authorities. The law applies equally to the central and local public bodies.

- The Law defines decision-making as the process that includes the public bodies intermediate processes for drafting and approval of official acts and as such are listed from legal acts to strategic documents and policies at central and local level.
- The Law expresses the obligation for each public body to appoint a person as Coordinator of Public Notification and Consultation, responsible for the coordination and general administration of the obligations deriving from this Law.
- The Law obliges public institutions (chapter 2, article 6, point a, article to create an Electronic Register, which serves as an instrument of communication for all interested parties with the public body and maintains consultation records.

- Article 6 of the Law clearly states the obligation for public bodies to take all necessary measures in order to create opportunities for the participation of the public and all interested parties in the process of notification and public consultation, by means of:
 - a) publication in the electronic register of the draft act, draft strategic document or draft policy of high public interest, the consultation notice and the data related to the consultation.
 - b) publication in the transparency program, according to law no. 119/2014 "On the right to information", of the annual plans for decision-making processes, within the meaning of this Law.
 - c) information regarding the process of notification and public consultation at all stages, from the publication of the draft act, the collection of comments and recommendations, the records of public consultations, until the approval of the final act.
- The Law notes that the need for notifications and consultations may be considered even before the process of drafting the draft act and further the obligation for consulting the draft act until the drafting and approval of the relevant act.
- The Law requires public consultation meetings to be open and allow participants to express their opinions on issues under discussion.
- Article 15 of the Law stipulates that the interested parties are given the reasonable time to send comments and recommendations to the decision-making body, while Article 19 of the Law stipulates that comments and recommendations received during public consultation process shall be collected by the Coordinator of Notification and Public Consultation in a structured and transparent manner. The review is carried out by the public body responsible for drafting the act, which decides on the acceptance or rejection of recommendations received from the consulted stakeholders. If recommendations of the interested parties have not been accepted, the public body shall submit a summary of the reasons for their non-acceptance in one of the forms of public notice.

After the approval of the Territorial Administrative Reform and the implementation of the new territorial division in the local elections of 2015, the new organic law, **Law 139/2015 "On local self-government"** was approved. This Law devotes, for the first time, a special chapter (Chapter VI) to transparency, public consultation and civic participation, re-emphasizing the need and obligation for public consultations in local decision-making processes.

However, in the case of local self-governments, it is important to distinguish the two constituting parts of the local self-government: The Mayor as the executive body and the Municipal Council as the legislative body. Both public bodies are subject to the law and have to fulfil similar requirements in policy and decision making.

Therefore, in local self-government, there are / should be two streams of public consultations, conducted respectively by the mayor and the municipal council, with the former feeding to the latter for due and fully compliant decision making processes.

- Article 15 of the Law defines the obligations of local decision-makers to ensure the transparency of the activities of local self-government units. This article obliges local self-government units to:
 - a) Guarantee to the public the transparency of their activities.
 - b) Ensure each act of the local self-government bodies is published on the official website of the respective body and posted in places designated for public announcements.
 - c) Appoint a transparency coordinator and approve the transparency program, ensuring access for all, especially from the poorest sections of the community, in accordance with the provisions of the Law 119/2014 "On the right to information".

- The Law reiterates the obligation that every local self-government body should appoint a Coordinator for Public Notification and Consultation, in accordance with the provisions of the Law 46/2014 "On public notification and consultation".
- Article 17 stipulates the obligation that meetings of the Municipal Councils be open to the public, enabling every citizen to attend such meetings, in accordance to the manner defined in the regulation of the Council.
- The Law requires the Municipal Council to provide timely the date, place, time and agenda of Municipal Council meetings in public places and in accessible media in the local unit.
- Article 18 stipulates that the municipality council, before reviewing and approving acts, shall hold consultation sessions with the community and such consultations shall be made as specified in the council's regulation.
- The Law also obliges the municipality to publish the acts of the council on the official website and post them in public places, designated by the council with free public access, within the territory of the local unit.
- The Law also goes further in the civil right to appeal decisions and even to guarantee the civil right to take decision-making initiatives, while local self-government bodies are obliged to consider requests, complaints or remarks and respond within the deadlines set by law.

Following the adoption of the Organic Law in 2015, Albania sanctioned for the first time by law the financial management at local level by adopting the **Law no. 68/2017 "On local self-government finances"**. The administration of finances by local decision-making bodies is one of the main aspects to be considered in relation to public consultation and civic engagement.

- The Law sets tight deadlines for many decision-making issues by the Mayor and especially by the Municipal Council.
- The Law emphasizes community involvement mainly in three cases:
 - a) Article 13 defines the rules for imposing temporary local taxes, a right given to the Municipal Council. The article specifies that the Council has the right to impose a temporary tax on the provision of specific public services and investments, with the condition it is preceded by drafting a plan, which is subject to at least three public consultations conducted over a period of not less than five months
 - b) Article 32 sanctions the obligation for public consultation in the process of drafting the Strategic Plan for the Development of the Local Self-government Unit. This article stipulates that the Mayor is responsible for the preparation of the SPD-LGU, which is then reviewed and approved by a decision of the Council, following obligatory consultations with relevant central institutions and local community and stakeholders.
 - c) Article 38 sets out the procedures for reviewing the Medium Term Budget Program, whereby the Mayor prepares the reviewed draft, and takes appropriate measures for its publication and the organization of hearings with the community and stakeholders on that reviewed draft, before the final draft is prepared by Mayor to submitted to the Council for consideration and approval, the latter reviewing the soundness of the process and in their right to organize the final consultations as required by articles 18 and 54 of Law no.139/2015.
- A positive aspect of this Law, which is absent in the Law 146/2014 and 139/2015, is the issue of determining sanctions in case of non-compliance with the legal obligation to conduct public consultations.
- It is important to note that presently, thanks to SDC assistance, 59 municipal councils have recently approved their regulations on public consultations and also created the mandatory registers

1.3. *SITUATION of public consultations and participation at the local level*

Albanian local self-governments have made some progress in the area of the right to information and participation. Progress has been made by municipalities, especially in participatory budgeting due to explicit procedures required to be followed in the budgeting process by the Law on Local Self Government Finances. A variety of consultation and participation mechanisms are also established and functional in several municipalities. However, despite developments in the legislation area and the development of some positive practices, civic participation in decision-making and consultation with local communities remains low. The institutional framework for effective and inclusive participation needs further strengthening to ensure meaningful participatory decision-making at local level.

The territorial administrative reform, as a result of which comes the enlargement of the territories under the administration of individual local self-government units and the increase of the number of citizens in these units, are challenges to be addressed through the proper application of the laws and of innovative instruments to ensure wider engagement of all groups.

Although several years have already passed since the adoption of Law 146/2014, there is much to be done by the municipalities to implement the legal obligations for public consultation. Among findings resulting from a specific UNDP STAR2 project assessment on the topic in the recent past (2018), some being relevant also at present, one can mention the following:

- The level of law enforcement is very low and also internal procedures and regulations for public participation and consultation were lacking (the latter has recently improved with the introduction of council regulations in 59 local governments with BtF assistance)
- Often the employees of the local administration and in some cases even the Coordinator for Public Notification and Consultation, do not have a clear and complete understanding of the requirements,
- The electronic register of notification and realization of public consultations was not in existence or functional (only recently registers have been introduced in 50 municipalities with BtF assistance),
- The municipal websites, in the vast majority, have a lack of information regarding the documentation according to the law, even for complete consultation processes from drafting to approval,
- Most local self-government units do not draft and publish annual plans for participatory decision-making as well as respective annual reports on transparency (aspect lately changing in municipal councils with BtF for drafting and publishing the annual calendars of consultations for key acts)
- In the explanatory reports of the draft decisions submitted for approval in most of the Municipal Councils, it is often mentioned that “public consultations have been organized”, but in the vast majority without specifying what opinions were given and recorded and which ones were taken into consideration, etc.
- In the vast majority of municipalities, citizens do not have any information about their right to participate in decision-making and the obligation of municipalities to notify and conduct public consultations.
- Public consultation is often conceived as a process that begins at the moment of discussion of the draft act until the adoption of the act while it is important to happen across all stages of public policy cycle.

The 2nd Local Governance Mapping, carried out in the framework of STAR 2 Project during January – February 2020, pointed out as major concerns, from both the public and local government, the lack of activism, engagement and influence of civil society and communities in local governance matters as well as absence of

proper citizen participation platforms, public consultation opportunities and dissatisfaction with the levels of information provided by local governments. What municipalities offer today, in response to legal requirements to inform, interact with and engage citizens, is still far from meaningful and significant in most cases.

Similarly, low levels of trust in public institutions, inadequate opportunities for participation and lack of perspective that the situation will be remedied soon are also part of the results assessed by the annual UNDP's Trust in Governance Opinion Poll conducted throughout the country.

It is clear that change might happen only if local government employ a proactive role to strengthen commitment of and empower all stakeholders. To do so, local governments need to establish systematic engagement mechanisms for planning, implementation and reporting on participation and consultation of local decision-making, including also feedback mechanisms to citizens and other stakeholders.

1.4. *PREVIOUS AND ONGOING Support initiatives*

STAR2 (UNDP)

During STAR2 Project, assistance was provided for developing a Standard Model of Transparency Program which was further approved by an order of the Commissioner on the Right to Information and Protection of Personal Data making it mandatory to all Local Governments. Being a unified model, the Transparency Programme constitutes a basis to gauge the level of transparency applied from local government. Part of the Standard Model of Transparency Programme are also the stages of consultation processes from publication calendars of consultation, acts to be consulted, and reports on the processes.

But more importantly, in response to the application of the Law 146/2019 "On Notification and Public Consultation", STAR2 carried out a full assessment of the level of application of the legislation at the local level, the quality of available processes and the existence of best practices or innovations. On this basis, STAR2 developed an Operational Toolkit for effective planning, implementation and reporting participatory local government practices.

The Operational Toolkit essentially provides the following instruments and the rationale of using them for building up an adequate and meaningful process of consultation and participation for the local self-government unit:

- Guidance on how to plan a public consultation in line with quality standards of meaningful public consultation.
- Key Steps for the implementation of public engagement and consultation process.
- Methods and Techniques of public engagement in decision-making.
- Ready to use instruments which consist in models for engagement of public in decision-making for key municipal processes as the Internal acts, consultation of budget including its presentation etc.

Lëviz Albania (SDC)

LëvizAlbania, is an important initiative funded by SDC and implemented by Open Society Foundation for Albania, Partners Albania and Co-Plan, working to enhance local democracy by supporting locally rooted and demand-driven civil society organizations and individuals with grants and fellowships, across the country, to sustain a culture of inclusive, transparent and accountable local governance. The project also undertakes national-level advocacy and strategic projects to influence local priorities and public services, decision making and oversight. The second phase of the project LëvizAlbania started in July 2019 while the second call for application was issued on 15 July 2021. The practices developed and those to be developed by this initiative, are to be considered as an opportunity to align the supply side with the demand side of participatory and democratic governance at local level. serve as baseline for further elaboration of operational tools for local government in Albania to ensure effective and efficient public engagement.

Strong municipalities (SDC)

Strong Municipalities (BtF) is working with the Municipal Council to enable chancellors to fulfil their mandate. As part of their work with the councils of 61 municipalities BtF is strengthening capacities of the secretaries of the Council in order to better support their functioning. In addition, a particular emphasis of BtF work focusses in strengthening the role of the council related to public consultation. In this regard a series of instruments and designed and communication channels are under establishment to ensure compliance of the council with the legal requirement on public consultation. 59 municipal council have already approved their regulation for public consultations and created the related registries. In addition the project delivered a practical guide with many templates (calendar, announcement, minutes, summary of recommendations, report, register, etc.)

During the implementation, particular efforts are needed to coordination and synergy with the established practice by LEVIZ Albania and BtF. The latter has developed a series of instruments and tools to facilitate the role of the Municipal Councils with regard to public consultation, which need to be examined in the framework of the inception phase to ensure synergy and coherence of the actions of the executive and legislative bodies of the municipality in exercising such responsibilities.

2. SCOPE OF SERVICES

The purpose of this consultancy is to develop, in selected municipalities, a systematic, and sustainable engagement practice with citizens through specific assistance related to the detailed planning of consultation processes and use of innovative approaches for promoting participatory decision making.

With considerations for local governments as bodies constituted by two interrelated parts, the executive and the legislative, **the present task has in focus the assistance to the municipal executive body**, as an integral part of the public policy cycle.

The project will support up to seven selected municipalities, selected on the basis of pre-defined criteria, to establish and consolidate in practice the key elements of public engagement and consultation cycle.

The objective of this exercise is to establish a good and replicable practice, disseminated to the rest of municipalities, with the aim of making this practice a standard for local level consultation processes.

3. MAJOR STAGES OF THE ASSIGNMENT

The need and obligation for public consultation and engagement, also stipulated in the relevant Albanian legislation, is a requirement for all public bodies which decisions affect the citizen and the community, except for particular areas and matters defined by law. In this respect, local self-government units are subject to the law and its requirements.

The assistance aims at building municipal capacities and instruments in conducting proper consultation processes, yet these processes should be harmonized with the expectations and requirements of the municipal council rules and procedures for public consultation. This is the **first principle** to be ensured when shaping the support to the selected municipalities

The **second principle** to be followed relates to ensuring the critical elements for a meaningful and effective public engagement and consultation process, including:

- inclusiveness,
- careful planning
- allocation of adequate resources and time
- early involvement
- relevant methods and tools,
- continuous communication, as well as
- monitoring and evaluation.

The ***third principle*** to be considered is the reference to the Law 146/2014. In this respect, the assistance will be guided by the requirements of that Law, that basically includes:

- supporting selected municipalities (the executive) to draft and publish their respective Annual Plans of decision - making processes
- build capacities and systems, in selected municipalities, for implementing the Annual Plans
- support selected municipalities to publish their respective Annual Reports.

The main three stages of the assignment are the following:

3.1. Inception Phase

This phase includes two parallel actions:

Selection of target municipalities

- d) **Issue of a call for expression of interest** – as one of the key selection criteria will be the municipal voluntarism to participate, a call for expression of interest will be issued to all municipalities to gather the level of existing practice of participatory decision-making and the interest from the municipalities themselves to engage in this capacity building exercise. The call will be issued jointly by STAR3 project and the Service Provider.
- e) **Development and finalization of selection criteria** – selection the criteria will consider diversity in terms of size and geographic distribution as well as the readiness of the municipalities to undergo the planned activities and the municipal capacities to absorb and sustain the assistance.
- f) **Application of the criteria for selecting the target municipalities** – the application of the selection criteria will lead to the identification of seven municipalities for the focus of the assistance. Applications will be reviewed by a commission, including representatives from local government associations, Ministry of Interior and UNDP. STAR3 project partners may be also part of the selection process upon expression of interest.

Preparatory work

- d) **Review legislation, research, studies, assessments and technical documents** on public consultation and participation developed by the government, local governments, non-governmental organization and development partners with relevance to the local level.
- e) Consultation and identification of **complementarities, synergies, and harmonization** with the SDC assistance for public consultation to municipal councils
- f) **Conclusion of the inception phase** with an Inception Report, which includes a) the detailed description of each task, the approach(es) to be used, the timeline, and the deliverables as prescribed in this ToR; and b) recommendations to ensure gender mainstreaming and the engagement of vulnerable groups.

3.2. Full process development with selected municipalities

Mapping of municipal business processes for consultation and participation

- c) A quick assessment on consultation practices and systems in the seven municipalities shall take place at the beginning of the assignment, including a) review and analysis of regulations in place at municipal level, and b) collection of data through questionnaires and in-depth interviews. Upon conduction of the assessment, the Service Provider shall submit an Assessment Report including main findings of the assessment. Practices or mechanisms ensuring inclusion of vulnerable groups and women shall be of particular focus of this assessment as well.
- d) A detailed workplan and a schedule for the implementation of the assistance of all the distinct phases defined in this ToRs will be discussed and agreed with each selected municipality.

Drafting the Annual Plan of Consultations and Engagement

- c) Based on the finding and recommendations of the assessment, the Service Provider will work with the municipality (the executive) to address gaps and shape an approach that includes the identification of the following:
 - Areas of decision-making subject to consultation during the year
 - Necessary resources to support the implementation
 - Timelines and actions to be undertaken,
 - Stakeholders and engagement mechanisms to ensure the targeted outreach
 - Communication in different steps foreseen and mutual exchange of information.
- d) The above ingredients will serve for drafting the municipal **Annual Consultation Plan**. The Service Provider will support the municipality for the drafting, publication, consultation and approval of the **Annual Consultation Plan**.

Real Life Public Consultation

- c) Implementing real life consultation shall come as a follow up action for the implementation of the annual consultation plan. Assistance will focus in detailing the organization plan of consultations from identification of conditions and issues to be addressed, options to address identified issues and solutions. Specific efforts in this process will dedicate to
 - development of the content and creation of materials to inform the discussions,
 - mapping of stakeholders,
 - notification, invitation and getting people to participate,
 - facilitating elements,
 - report writing in support to decision-making/feedback mechanism.
- d) As part of this activity, the Service Provider will support at least two consultation processes, contained in the Annual Consultation Plans of each of the seven selected municipalities. The processes selected will feature some of the following characteristics: have an important impact in the life of citizens, including investments planning, strategic

planning, or other important issues of concern for citizens with special emphasis on women and vulnerable groups. The service provider will support at least 14 consultation processes in 7 selected municipalities.

Annual Reporting support

- d) Emphasis through all stages of consultation will be on communication and feedback mechanism to the citizens. A feedback report template will be designed to be used as a transparency and feedback tool. As part of this stage, municipalities will be assisted to monitor and evaluate their individual consultation processes against standards defined by law.
- e) This tool will feed the drafting of the Annual Reporting, which Model will be developed as an instrument for keeping the municipality accountable and as part of the legal requirements.
- f) Part of the annual reporting model on transparency in decision-making shall be key elements, encouraging municipalities' performance reporting and transparency compliance, focusing also on gender disaggregated data on participation.

3.3. Knowledge dissemination

- a) The Service Provider will propose a strategy for the dissemination and knowledge sharing with the rest of municipalities. This shall come as a transversal action accompanying the entire process and actions for the establishment of this practice. The dissemination and knowledge sharing approach shall be part of the bidding proposal and shall include several milestones to inform and engage the rest of municipalities during the implementation of the assistance in the seven selected ones. A final event to promote the champions and ensure knowledge sharing will be an instrument to ensure knowledge sharing and convey key messages on the established practice.

4. DELIVERABLES

The deliverables for this assignment/ service are the basis for evaluation, project management and payment installments. The main deliverables include:

- 1. Inception Report x 1
- 2. Assessment Reports x 7 (one for each of the seven selected municipalities)
- 3. Annual Consultation Plans approved x 7 (one for each of the seven selected municipalities)
- 4. Real consultation processes fully documented x 14 (two for each of the seven selected municipalities)
- 5. Annual Consultation Reports x 7 (one for each of the seven selected municipalities)
- 6. Full set of templates for the Annual Consultation Plan, Consultation Process Monitoring, Individual Consultation Report, Annual Consultation Report x 1
- 7. Dissemination events engaging the remaining 54 municipalities x 4
- 8. Closing national event x 1

5. INSTITUTIONAL ARRANGEMENTS

5.1. *Supervising authority*

The Service Provider will work under the overall supervision of UNDP Albania /STAR3, to which the Service Provider will directly report, seek approval, and obtain the acceptance of deliverables. Upon the completion of work assignments, the supervisor will evaluate the consultant's work, certify relevant documents and process/follow-up on the payments.

5.2. *Institutional collaboration*

In terms of support, UNDP Albania /STAR3 will assess and provide feedback on the Assessment Report, the proposed instruments, outlines, methodology and approach designed for the implementation of the work assignments. STAR3 will facilitate the relations of the Service Provider with the selected municipalities. In addition, STAR3 will facilitate the communication of the Service Provider with the main project partner and the Central Government Institutions and other actors.

As part of the project management and implementation structures and in its role as the main government counterpart, the Ministry of interior and its Agency for Support to Local Government will be kept involved along the progress.

The selected Albanian municipalities are expected to engage in all stages related to planning, implementation, and monitoring processes of public consultation at local level.

Coherence and synergy shall be ensured with parallel initiatives implemented by the project partners promoting the supply side of civic engagement in local decision-making, that is Lëviz Albania and especially the Strong Municipalities project.

The Commissioner on the Right to Information and Protection of Personal Data will be informed and consulted during the steps/milestones foreseen in this process. Opportunities of partnership with the Ministry of Justice (MoJ), in its role of National Coordinator Against Corruption might be also explored during the implementation of the assignment.

5.3. *Reporting requirements*

In addition to the deliverables, the Service Provider will submit Monthly Progress Reports on the implementation of the assignment and a concluding Final Report. Moreover, monthly meetings with UNDP/STAR3 are recommended.

As part of UNDP's gender mainstreaming principles, the Service Provider shall maintain and provide gender disaggregated data during the implementation of this assignment.

In addition, the Service provider shall comply with the Visibility Strategy and Action Plan of STAR3 project and report accordingly.

6. QUALIFICATIONS OF THE SUCCESSFUL SERVICE PROVIDER

6.1. *Successful Service Provider profile*

The successful Service Provider should have prior experience in providing consultancy, in the area of participatory governance at central and local level, especially in designing and implementing innovative approaches and mechanisms to ensure public engagement and consultation. In more general terms, the service

provider should be experienced in carrying out these services related to the right to public participation and consultation, in the public sector.

The Proposer should have and demonstrate at least 7 years of proven experience in the market and in the area, which should be supported by at least three references from vendors to whom similar services have been provided.

Work experience with local governments in Albania is a requirement especially related to the specific activities of these ToRs including assessments, technical to establish planning, implementation and monitoring tools for participatory local governance including real life consultation processes. It will be considered a strong advantage the previous experience assisting municipalities to functional optimization and performance measurement.

The successful Service Provider should demonstrate good project cycle management capability, including financial management and accountability, administration, provision of logistical support and effective reporting.

The successful Service Provider should also meet additional sets of criteria in terms of expertise, methodology, and management and satisfy minimum eligibility requirements as described in this document:

- The successful Service Provider should also demonstrate a proven multiyear track record in provision of technical assistance in the area of local governance, including real life public participation and consultation.
- Broad understanding of the organisation and functioning of Local Government in Albania and civic engagement at local level
- Legal expertise related to the right to information public engagement and consultation would be as asset.
- Experience in working with UNDP or another international agency (preferable).

6.2. Successful Service Provider personnel

The Service Provider should possess and make available a good mix of experts and sufficient resources for the provision of the service with effectiveness, efficiency, quality and professionalism. The experts' team should comprise an appropriate number of professionals with adequate experience and professional qualifications for the assignment.

In consideration of time limitations, the geographic extent of the assignment the Service Provider should demonstrate it can make available sufficient resources proportionate to the workload.

The Service Provider shall take all reasonable measures necessary to ensure that the personnel deployed under this ToR shall respect local customs and conform to the highest standards of moral and ethical conduct. UNDP may at any time request the withdrawal or replacement of any of the Service Provider personnel if these standards are not adhered to. Replacement will be at the Service Provider expense.

The following skill sets are required for experts adequately qualified and experienced in both legal and local governance to satisfactorily and timely deliver the expected outputs:

Position/expertise	Key qualification	Experience
The TL will be responsible for overall coordination and quality control of the products delivered. S/He is expected to provide	Background in law, political science and public policy, public administration social sciences and any other related field. Excellent written and spoken English skills.	At least 7 years of experience providing assistance to local and central level governance to improve governance, local democracy and civic engagement.

methodology and guidance, to give direction and leadership to all other consultants toward the achievement of the technical assistance objectives.		
Key expert in Good Governance issues, public engagement and consultation, as well as Decentralization and Local Governance	Background in public policy, public administration/social sciences/law or related fields. Experience in public engagement and consultation is a must.	Minimum 7 years of experience with LGUs and/or CSOs, in promoting participatory governance, civic reaction and civic engagement in decision-making. Minimum 5 years of experience in development of tools and techniques in this area.
Analyst of public policies	Background in public administration, social sciences, or related fields	5 years of experience in analysis of public policies, local and central, knowledge of public policy cycle, funding and budgeting

7. SCHEDULE OF PAYMENTS

Based on the technical and financial evaluation criteria specified below in this RfP, UNDP will select a single Service Provider to carry out the work.

UNDP shall affect payments to the Service Provider after acceptance by UNDP of the deliverables (with a prior clearance from the STAR3), submission of the corresponding invoices submitted by the Service Provider, and in accordance with the following schedule of payments corresponding to the achievement of the indicated milestones and deliverables

The assignment is to be carried out within a period of maximum 15 calendar months, at the end of which the Service Provider having submitted the required deliverables.

The indicative timeframe of the implementation and the related schedule of payments are shown below:

Activity	Timeline	Percentage per deliverable
Inception Phase: Inception Report	Month 0-2	10%
Full Process development with Selected Municipalities: Assessment Reports for Seven selected Municipalities Annual Consultation Plans approved for seven selected Municipalities	Month 3-5	25 %
Real Life Public Consultation: 14 Real consultation processes fully documented (2 for each selected municipality)	Month 6-11	30%
Annual Reporting Support: A Full set of templates for the Annual Consultation Plan, Consultation Process Monitoring, Individual Consultation Report, Annual Consultation Report	Month 12-14	20%
Knowledge Dissemination: - At least 4 dissemination events engaging the rest of 54 Municipalities - 1 Closing National Event	Month 14-15	15%
Total		100%

Table 5. Milestones and Deliverables – Implementation Phase

Installment Number	Deliverable Name	Deliverable Acceptance Criteria	Acceptance Authority	Deliverable Time	Penalties for underperformance	Deliverable Payment Weight	Additional Notes
1	Inception Report	Issue of a call for expression of Interest Development and finalization of selection criteria Application of Criteria for selecting the target municipalities Review of legislation research studies etc Identification of synergies and complementarities Conclusion of the inception phase	UNDP/ST AR3 in consultation with the beneficiaries.	End month 1.5	Deviation from acceptance criteria may void the payment partially or entirely.	15%	
2	Full process Development with seven selected Municipalities	Mapping of municipal business processes for consultation and participation Annual consultation plans approved for 7 municipalities	UNDP/ST AR3 in consultation with the beneficiaries.	End of month 4	Deviation from acceptance criteria may void the payment partially or entirely.	25%	
3	Real Life Public Consultation	Fully documented 14 consultation processes in line with the predefined criteria	UNDP/ST AR3 in consultation with the Government Authority	End month 8	Failure of acceptance of the deliverable will lead to contract termination If it is agreed to accept the deliverable despite some	20%	

Installment Number	Deliverable Name	Deliverable Acceptance Criteria	Acceptance Authority	Deliverable Time	Penalties for underperformance	Deliverable Payment Weight	Additional Notes
					deficiencies, a reduced payment will be made only for the parts that are acceptable. Each of consultation process is weighted at 7.1% of the total installment price.		
4	Annual Reporting Support	Outline of the follow up template Outline of Annual Reporting Model Final follow up template Finals template of Annual Reporting	STAR 3/UNDP accepts the follow up cycle instrument	End of month 8	Deviation from acceptance criteria may void the payment partially or entirely	20%	
6	Full Dissemination Package of the established practice	Final Template for the established practice agreed with STAR3 project	STAR3 in consultation with MoI and beneficiaries	End of month 12	Final installment will be payable upon the acceptance of the final report	20%	
					TOTAL	100%	