

Terms of Reference



Empowered lives.
Resilient nations.

Post Title:	Senior Anti- Corruption Expert
Starting Date	ASAP
Duration:	12 Months
Location	Riyadh, Saudi Arabia
Project:	Support to the Oversight and Anti-Corruption Authority (Nazaha)
National or International consultancy	International Consultant

A. Project Title

Support to the Oversight and Anti-Corruption Authority (Nazaha)

B. Project Description

Under the guidelines of the Memorandum of Understanding (MoU) between the Oversight and Anti-Corruption Authority (Nazaha) of the Kingdom of Saudi Arabia, and the United Nations Development Programme (UNDP); the expert will provide technical support, guidance and advisory to Nazaha's department of international collaboration, based on their needs and requirements in ensuring Saudi Arabia's national legal framework effectively complies and allows for the implementation of the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, of the Organisation for Economic Co-operation and Development (OECD), to spread justice and build effective, accountable, and inclusive institutions at all levels, in line with SDGs 16. The assignment will provide high-level guidance and advisory to Nazaha's different departments to based on their needs and requirements. Also, a critical advisory and giving feedback on Nazaha's existing internal courses to their staff is expected to occur; in addition to tailoring training programs inclusive of awareness-raising sessions which will be built on existing resources to be provided to other government entities under Nazaha's supervision.

As UNDP Country Office/ Saudi Arabia has a Project Document with the National Anti-Corruption Authority (Nazaha), there are multiple projects on both internal and global scale that UNDP is assigned to support Nazaha with under the category of SDG 16 Peace, justice, and strong institutions.

1. Under the guidelines of the Memorandum of Understanding (MoU) between the Oversight and Anti-Corruption Authority (Nazaha) of the Kingdom of Saudi Arabia and the United Nations Development Programme (UNDP); the expert will provide technical support, guidance, and advisory to Nazaha's department of international collaboration, based on their needs and requirements in ensuring Saudi Arabia's national legal framework effectively

complies and allows for the implementation of the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.

2. This particular project is to spread justice and build effective, accountable, and inclusive institutions at all levels
3. As this project focuses on implementing the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions of the Organisation for Economic Co-operation and Development (OECD), it will need specific experience that the expert will have to prove his relevance.

C. Scope of Work

The consultant shall undertake the following tasks:

- i. Preparing an analysis of Saudi Arabia's current national legal framework; developing recommendations of modifications or amendments (where necessary) for the framework to be in line with the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.
- ii. Provide consultation, technical assistance, and training (where necessary) to implement the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, supporting Nazaha through the review, discussions, negotiations, and drafting of related documents to the convention.
- iii. Supporting Nazaha, where necessary, in its preparation to meet the expectations of the OECD In Saudi Arabia's shift from "Observer State" to "Member State."
- iv. Draft final assignment report entailing recommendations for UNDP engagement with Nazaha to secure a long-term full-fledged project possibly.

D. Deliverables:

Deliverables / Outputs	Estimated Duration to Complete	Review and Approvals Required
Deliverable 1 Conduct 4 workshop and/or 4 training programs on the procedural and substantial requirements for becoming a member of the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.	22 Days	Project Focal person from the Oversight and Anti-Corruption Authority (Nazaha) <i>the Assistant of the President for International cooperation</i> in collaboration with UNDP Programme Analyst.
Deliverable 2 Prepare an analysis of Saudi Arabia's current national legal framework. <ul style="list-style-type: none"> ➤ Preparing an analysis of the OECD evaluation cycle's Phases 1 and 2. ➤ Develop recommendations of modifications or amendments (where necessary) for Saudi Arabia's current national legal framework to be in line with the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions. 	110 Days	

Deliverables / Outputs	Estimated Duration to Complete	Review and Approvals Required
<p>Deliverable 3 Prepare an analysis of Saudi Arabia's current national legal framework.</p> <ul style="list-style-type: none"> ➤ Preparing an analysis of the OECD evaluation cycle's Phases 3 and 4. ➤ Develop recommendations of modifications or amendments (where necessary) for Saudi Arabia's current national legal framework to be in line with the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions. 	<p>110 days</p>	
<p>Deliverable 4</p> <ul style="list-style-type: none"> ➤ Support Nazaha through the review, discussions, negotiations, and drafting of documents related to the convention and in the preparation to meet the expectations of the OECD in Saudi Arabia's shift from "participant state" to "member state." ➤ Provide consultation, technical assistance, and training (where necessary) to implement the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions. ➤ Draft final assignment report entailing recommendations for UNDP engagement with Nazaha with the objective of possibly securing a long-term, full-fledged project. 	<p>22 Days</p>	

E. Institutional Arrangement

The expert will be reporting to the Assistant of the President for International cooperation while keeping UNDP Programme Analyst informed and sharing a monthly progress report.

F. The Duration of the Assignment

- Duration of work: the anticipated assignment is 12 months, with a possibility of extension, based on the availability of funds.
- The anticipated starting date of the assignment is 1st of March 2023. And the expected date of full completion of all tasks under this assignment is 29th of February of 2024.
- Provide the estimated lead time for UNDP or Project Implementing Partners to review outputs, give comments, certify approval/acceptance of outputs, etc.
- Explain special reason for urgency, if any, and serious consequence/impact of any form of delay in the completion of the work (e.g., deferment of the succeeding phase to the following year, cancellation of the budget allocation for the project, other potential losses to any party involved, etc.)

G. The Duty Station

- Riyadh, Saudi Arabia
- The Contractor will be required to be present at Nazaha headquarters, during the assignment period.
- If unforeseen travel outside the consultant's home-based city is requested by UNDP and not required by the Terms of References (ToR), such travel shall be covered by UNDP in line with applicable rules and regulations and upon prior written agreement. In such cases, the consultant shall receive living allowances not exceeding the United Nations (UN) Daily Subsistence Allowance (DSA) rate for such other location(s).
- **Note:** A written approval from UNDP and relevant authorities will be required to facilitate the consultant's travel to any locations than stated on this TOR on official missions where necessary.

Working Arrangements:

- ✓ All mission travels must be approved in advance and in writing by the supervisor.
- ✓ United Nations Development of Safe and Security – BSAFE course must be successfully completed prior to the commencement of travel.
- ✓ The Consultant is responsible for ensuring they have vaccinations/inoculations when travelling to certain countries, as designated by the UN Medical Director.
- ✓ The consultant is also required to comply with the UN security directives.
- ✓ The consultant is responsible for obtaining any visas needed in connection with travel with the necessary support from UNDP.
- ✓ The consultant will be responsible for submitting his/her own mission travel arrangements in line with UNDP travel policies.
- ✓ The consultant is responsible for required health and life insurance related to work or travel.
- ✓ The consultant is expected to have his/her own Laptop/Computer.

H. Required Skills and Experience

i. Education:

- Bachelor's degree in law, International Relations or a related field.

ii. Experience:

- 15 years and above of experience in Anti-Corruption field or related field.
- Experience in working with government institutions, academia & research institutions, or international organizations. This includes knowledge in producing expertise in the field and leadership skills to support the implementation of large Anti-Corruption projects.
- Knowledge and understanding of the laws and regulations in Saudi Arabia are desired.
- Experience of working with the Organisation for Economic Co-operation and Development (OECD).
- Good understanding of the UN programming principles and UN capacity development mandate or other similar context.

iii. Language:

- Fluency in spoken and written English.

iv. Competencies

❖ Corporate competencies:

- Demonstrates integrity and fairness by modelling UN values and ethical standards.
- Demonstrates professional competence and is conscientious and efficient in meeting commitments, observing deadlines, and achieving results.
- Display cultural, gender, religious and age sensitivity, and adaptability.

❖ Functional competencies:

- Strong strategic thinking and analytical skills.
- Ability to organize and manage teams, and work under pressure to achieve the assignment objectives.
- Excellent interpersonal skills, including the ability to establish strong cooperative relationships with senior government officials and a diverse set of partners.
- Excellent communication and presentation skills.

I. Scope of Price Proposal and Schedule of Payments:

All proposals must be expressed in a lump sum amount. This amount must be "all-inclusive". Please note that the terms "all-inclusive" implies that all costs (professional fees, living allowances, communications, consumables, etc.) that could possibly be incurred are already factored into the final amounts submitted in the proposal.

Payments shall be made to the individual contractor upon successful completion and certification by UNDP that services have been satisfactorily performed, based upon the actual number of working days and accomplishments of each deliverable.

Payment shall be made as a deliverables-based lump upon the receipt of the deliverables and certification of satisfactory performance by UNDP.

The Expert will share a Certificate of Payment (CoP) where he/he needs to indicate achieved outputs. Then the certificate of payment must be verified by the UNDP Team and certified by UNDP top management. The Expert is advised to keep a detailed timesheet of the days worked and tasks performed throughout the consultancy assignment. A bi-weekly update of the timesheet will be requested, and such documentation will support the payment process as deemed needful.

Payment	Phases	Anticipated completion date	Payment Percentage
1 st payment	Upon submission and acceptance of 100% deliverable 1	22 Days	12 %
2 nd Payment	Upon submission and acceptance of 20% deliverable 2	22 Days	7.6%
3 rd Payment	Upon submission and acceptance of 20% deliverable 2	22 Days	7.6%
4 th Payment	Upon submission and acceptance of 20% deliverable 2	22 Days	7.6%
5 th Payment	Upon submission and acceptance of 20% deliverable 2	22 Days	7.6%
6 th Payment	Upon submission and acceptance of 20% deliverable 2	22 Days	7.6%
7 th Payment	Upon submission and acceptance of 20% deliverable 3	22 Days	7.6%
8 th Payment	Upon submission and acceptance of 20% deliverable 3	22 Days	7.6%
9 th Payment	Upon submission and acceptance of 20% deliverable 3	22 Days	7.6%
10 th payment	Upon submission and acceptance of 20% deliverable 3	22 Days	7.6%
11 th Payment	Upon submission and acceptance of 20% deliverable 3	22 Days	7.6%
12 th Payment	Upon submission and acceptance of 100% deliverable 4	22 Days	12 %

J. Recommended Presentation of Offer

For purposes of generating Offers whose contents are uniformly presented and to facilitate their comparative analysis, it is best to recommend the preferred contents and presentation of the offer to be submitted, as well as the format/sequencing of their presentation. The following documents may be requested:

- 1) Duly accomplished **Letter of Confirmation of Interest and Availability** using the template provided by UNDP;
- 2) **Personal CV or P11**, indicating all past experience from similar projects, as well as the contact details (email and telephone number) of the candidate and at least three (3) professional references.
- 3) **Financial Proposal** that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per the template provided. If an Offeror is employed by an organization/company/institution, and he/she expects his/her employer to charge a management fee in the process of releasing him/her to UNDP under a Reimbursable Loan Agreement (RLA), the Offeror must indicate at this point and ensure that all such costs are duly incorporated in the financial proposal submitted to UNDP.

K. Criteria for Selection of the Best Offer

Applicants are shortlisted based on the Required Skills and Experience stated in the TOR.

The selection of the best offer from the shortlisted candidates will be based on a Combined Scoring method – where the qualifications and methodology will be weighted a max. of 70% and combined with the price offer, which will be weighted a max of 30%.

Individual consultants will be evaluated based on the following methodology:

Step I: Screening and Desk Review

Technical Criteria (CV review and Desk Review/Interview optional) – maximum 70 points. Only candidates who obtained at least 70% of points from the CV desk review (who will score at least 49 points) will be considered for the next evaluation stage, i.e., financial evaluation.

Applications will be first screened, and only candidates meeting the following minimum criteria will progress to the pool for shortlisting:

Technical Evaluation (70 Points, 70% weight)

Requirements	Criteria	Max Points
Education	➤ Bachelor's degree in law, International Relations, or other related field(s).	15
Relevant professional experience	➤ 15 years and above of experience in Anti-Corruption field. ➤ Experience in working with government institutions, academia & research institutions, or international organizations. ➤ Knowledge in producing expertise in the field and leadership skills to support the implementation of large Anti-Corruption projects.	30
Work experience in similar contexts	➤ Knowledge and understanding of the laws and regulations in Saudi Arabia.	5
	➤ Experience of working with the Organisation for Economic Co-operation and Development (OECD) or similar entities	10
	➤ Good understanding of the UN programming principles and UN capacity development mandate or similar context	5
Language:	➤ Fluency in spoken and written English.	5

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

Weight Per Technical Competence	
5 (outstanding): 96% - 100%	The individual consultant/contractor has demonstrated an OUTSTANDING capacity for the analyzed competence.
4 (Very good): 86% - 95%	The individual consultant/contractor has demonstrated a VERY GOOD capacity for the analyzed competence.
3 (Good): 76% - 85%	The individual consultant/contractor has demonstrated a GOOD capacity for the analyzed competence.
2 (Satisfactory): 70% - 75%	The individual consultant/contractor has demonstrated a SATISFACTORY capacity for the analyzed competence.
1 (Weak): Below 70%	The individual consultant/contractor has demonstrated a WEAK capacity for the analyzed competence.

Step II: Financial Assessment:

Financial Proposal – Maximum 30 points

- Duly accomplished Confirmation of Interest and Submission of Financial Proposal Template using the template provided by UNDP (Annex II)

PRICE PROPOSAL AND SCHEDULE OF PAYMENTS

The contractor shall submit a price proposal as below:

The total professional fee shall be converted into a lump-sum contract and payments under the contract shall be made on submission and acceptance of deliverables under the contract in accordance with the schedule of payment linked with deliverables. The financial Proposal should include all relevant costs (consultancy fees, all envisaged travel costs, living allowances, etc.).

UNDP applies the "**Best value for money approach**" – the final selection will be based on the combination of the applicants' qualifications and financial proposal.

Financial evaluation - Total 30% (30 points)

The following formula will be used to evaluate the financial proposal:

$p = y (\mu/z)$, where

p = points for the financial proposal being evaluated

y = maximum number of points for the financial proposal

μ = price of the lowest-priced proposal

z = price of the proposal being evaluated

L. Instructions for on-line submissions

Step 1: Please prepare all required documents electronically.

Step 2: Combine all documents in **ONE SINGLE FILE** (preferably in PDF however, Word format can also be accepted) and upload to the UNDP Jobs links

Step 3: After that, you will receive an auto-reply from the UNDP jobs if your offer is received successfully.

Interested applicants are advised to carefully review this advertisement and ensure that they meet the requirements and qualifications described.

Given the volume of applications that UNDP receives, only shortlisted offerors will be notified.

UNDP reserves the right to reject any incomplete applications.

Please be informed that we don't accept applications submitted via email.

Interested Offerors are required to submit an application via UNDP Jobsite system as the application screening and evaluation will be done through UNDP Jobsite system. Please note that UNDP Jobsite system allows only one uploading of application documents, so please make sure that you merge all your documents into a single file. Your online application submission will be acknowledged where an email address has been provided. If you do not receive an email acknowledgement within 24 hours of submission, your application may not have been received. In such cases, please resubmit the application if necessary. Please combine all your documents into one (1) single PDF document as the system only allows you to upload a maximum of one document.

Any request for clarification/additional information on this procurement notice shall be communicated in writing to UNDP office or send to email mohammed.abbas@undp.org with a copy to huda.alsaud@undp.org the Procurement Unit would endeavor to provide information expeditiously, only requests receiving at least 3 working days prior to the submission deadline will be entertained. Any delay in providing such information will not be considered as a reason for extending the submission deadline. The UNDP's response (including an explanation of the query but without identifying the source of inquiry) will be posted on the Individual Consultant (IC) Procurement Notice page as provided above. Therefore, all prospective Offerors are advised to visit the page regularly to make obtain updates related to this Individual Consultant (IC) Procurement Notice.

UNDP is committed to achieving workforce diversity in terms of gender, nationality and culture. Individuals from minority groups, indigenous groups and persons with disabilities are equally encouraged to apply. All applications will be treated with the strictest confidence.

UNDP does not tolerate sexual exploitation and abuse, any kind of harassment, including sexual harassment and discrimination. All selected candidates will, therefore, undergo rigorous reference and background checks.

Interested applicants are advised to carefully review this advertisement and ensure that they meet the requirements and qualifications described.

The interested offeror must read the Individual Consultant (IC) Procurement Notice, which can be viewed at https://procurement-notices.undp.org/view_notice.cfm?notice_id=97772 for more detailed information about terms of references, instructions for the offeror, and to download the documents to be submitted in the offer online.

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M. APPROVAL

This ToR is prepared by:

Signature: _____
Name: _____
Designation: _____
Date of Signing: _____

This ToR is approved by:

Signature: _____
Name: _____
Designation: _____
Date of Signing: _____