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INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: August 20, 2019

Procurement Notice Reference No.: *ETH0682*

Country: *Ethiopia*

Services/Work Description: Recruitment of Consultant to deliver trainings and create awareness for the formal and informal justice providers in Gambella regional Government

Project/Program Title: **Community Safety and Access to Justice**

Post Title: National Consultant (NC)

Consultant Level: **Level C** (Senior Specialist- Two National ICs)

Duty Station: Addis Ababa with travel to Gambella and Mizan

Expected Places of Travel: **Gambella and Mizan**

Duration: 40 working days distributed in 2 months

Expected Start Date: Immediately after Signing the Contract

The United Nations Development Programme (UNDP) is currently implementing a project *Community Safety and Access to Justice* that requires the services of an individual to perform the work described in the corresponding TORs.

Proposal should be submitted through the online eTendering system

<https://etendering.partneragencies.org> search for Event ID **ETH0682** as per the deadline indicated in the system itself. Detailed user guide on how to register in the system and submit the proposal are attached to this notice.

Any request for clarification must be sent in writing, or by standard electronic communication to info.procurementet@undp.org **Attn: MY**. UNDP will provide responses by uploading them in the system.

In consideration of your qualifications, we are hereby inviting you to submit an offer for this particular assignment. To assist you in understanding the requirements of this assignment, we have attached hereto the following:

- a) The Terms of Reference for the assignment described above;
- b) The standard Letter of Confirmation of Interest and Availability, which you must accomplish and submit to UNDP; and
- c) The Individual Contract and its General Terms and Conditions, which you would be expected to sign in the event you are the selected Offeror in this procurement process.

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

- **Brief Description of Approach to Work (if required by the TOR)**
- **Letter of presentation highlighting main qualifications and experience relevant to this TOR;**
- **CV;**
- **Copy of education certificate;**
- **Completed financial proposal – using the Format (Breakdown of Costs Template)**
- **Any other as relevant**

FINANCIAL PROPOSAL

- **Lump sum contracts**

The financial proposal shall specify a total lump sum amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables (i.e. whether payments fall in installments or upon completion of the entire contract). Payments are based upon output, i.e. upon delivery of the services specified in the TOR. In order to assist the requesting unit in the comparison of financial proposals, the financial proposal will include a breakdown of this lump sum amount (including travel, per diems, and number of anticipated working days).

Travel:

All envisaged travel costs must be included in the financial proposal. This includes all travel to join duty station/repatriation travel. In general, UNDP should not accept travel costs exceeding those of an economy class ticket. Should the IC wish to travel on a higher class he/she should do so using their own resources.

In the case of unforeseeable travel, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and Individual Consultant, prior to travel and will be reimbursed.

Terms of reference



GENERAL INFORMATION

Services/Work Description:	Recruitment of Consultant to deliver trainings and create awareness for the formal and informal justice providers in Gambella regional Government
Project/Program Title:	Community Safety and Access to Justice
Post Title:	National Consultant (NC)
Consultant Level:	Level C (Senior Specialist- Two National ICs)
Duty Station:	Addis Ababa with travel to Gambella and Mizan
Expected Places of Travel:	Gambella and Mizan
Duration:	40 working days distributed in 2 months
Expected Start Date:	Immediately after Signing the Contract

I. BACKGROUND / PROJECT DESCRIPTION

The Ethiopian rule of law system is multifaceted. A mixture of civil and common law is used as well as formal and customary laws and practices. There are strong differences among regions both in terms of development indicators and capacity. Socio-economic and political indicators (along with Ethiopia's achievements in international relations and diplomacy) clearly indicate that the government is striving to ensure and maintain accountability and uphold rule of law in the country through different institutions and organizations like the Ethiopia Human Rights Commission (EHRC), Office of the Ombudsman, and the Attorney General. These institutions and the entire organs of justice are contributing their part to ensure accountability and the rule of law are upheld in the country.¹ However, rule of law institutions is still facing lack of strong and accountable human and material capacities, sometimes inconsistent decisions making in relation to the rule of law and lack of good governance. Due to issues related to capacity, low enforcement and other constraints, there is investment into this crucial sector. This has left institutions with even with less capacity.

The fact that refugee and host community governance systems function in parallel of each other poses questions around (cost)-effectiveness, triggers frustration and affects overall rule of law. It is essential that justice is served, and security ensured both in and out of camp, that customary and formal rule of law mechanisms within the refugee and host community are strengthened, increasingly coordinated and cohesive to be able to advance a smooth and peaceful transition towards the successful implementation of the Government Nine Pledges.

Assessments² point out that capacity is lacking throughout the camp governance structures, including in relation to knowledge on Ethiopian laws and human rights, women and children's

¹<http://www.ethpress.gov.et/herald/index.php/editorial-view-point/item/2386-opportunities-and-challenges-for-good-governance-in-ethiopia>

² Access to Justice Gambella, Mission Report, Division of International Protection, UNHCR Geneva, March 2015; Access to Justice Gambella, Assessment, Division of International Protection, UNHCR Geneva, November 2015; Camp Security Gambella, assessment, UNHCR DESS/FSS and DIP, June 2016; Police and Camp Security Assessment Gambella, United Nations Global Focal Point on police, October 2017.

rights; weak case management and follow up on cases. Zonal Courts, RCC and Shurta report having a tremendous amount of work. The Shurta is at times frustrated due to the risky nature of their work that they perform on a voluntary basis without necessary training, skills.

In response to the above-mentioned challenges, a joint project which is being implemented by UNDP, UNHCR, UNFPA, UNICEF, UNWEOMEN with government counter parts including Agencies for Refugees and Returnees Affairs (ARRA), the Regional Supreme Court, Attorney General of Gambella Region, Region Police Commission, Women, Children and Youth Affairs of Gambella is undergoing in the region.

UNDP through its CSAJ project invests in existing mechanisms including strengthening and respecting the current local state and non-state institutions, including customary structures in the camp and host communities. The project will in principle not foresee new offerings or services but rather focus on strengthening and or expanding the scope what is already there and improving coordination, collaboration and referral among and between formal and traditional and camp and host community institutions. The training aims building their capacity, help identify gaps in each institution and create the filed to work together.

II. Purpose and Scope of the Consultancy

The purpose of this consultancy is to facilitate a training for 417 participants from formal justice provider institutions like the police, Justice offices who are under the Attorney General, all Courts under the Regional Supreme Court of Gambella and the Informal and Customary Justice providers in all the project Districts, Refugee Camps and Host Community Sub-Districts/Kebeles/.

In its scope the training is expected to cover 8 round, 5 days training on topics that include Human Right, Refugee Protection, Family Law, Women, Youth and Children Rights, Property ownership/Right, Customary grievance hearing /Alternative Dispute Resolution. The training sites are expected to be in Addis Ababa, Gambella and Mizan reaching relevant institutions in the targeted districts of the project.

III. EXPECTED RESULTS AND DELIVERABLES

After completing the training, participants /institutions in the targeted project districts/kebeles will be:

- Equipped with knowledge and capacity on basics of human right;
- Identify gaps of the formal, informal and customary grievance hearing mechanisms and fill with human right sensitive approach;
- know Refugee protection laws, means and institutional capacities;
- Aware of Women, youth and Children rights
- Develop action plans for concrete actions at their respective institutions and the refugee and host community.

No.	Deliverables / Outputs	Estimated Duration to Complete	Review and Approvals Required
1.	Inception report outlining methodology and approach for the assignment and the presentation and adoption of plan to UNDP CSAJ Project Team Leader	3 days	CSAJ Project Coordinator/Governance Specialist/ GCD Unit Team Leader
2.	Training material preparation	5 days	CSAJ Project Coordinator/Governance Specialist/ GCD Unit Team Leader
3.	Training Delivery for 5 days, 8 rounds, for 417 participants Deliver basics of Ethiopian Family Law, property rights and ownership	30 days	CSAJ Project Coordinator/Governance Specialist/ GCD Unit Team Leader
4.	Training report that include initial participant knowledge assessment of the topics and improvement made after the training with their commitment and readiness to the action plan drawn by them selves	2 days	CSAJ Project Coordinator/Governance Specialist/ GCD Unit Team Leader
5.	Total No of Days	40 Working days	

III. INSTITUTIONAL ARRANGEMENT / REPORTING RELATIONSHIPS

- a. The consultant will be engaged by UNDP and will be directly supervised on the day to day basis by the Governance Unit of UNDP and The RoL project Manager at the field office;
- b. The CASJ Project TL will be the focal point for the consultant for the overall delivery of the tasks, and as such the consultant shall work collaboratively with the TL. The consultant will meet regularly with the TL, the UNDP Programme Specialist and other members of the team as well as the RoL project Manager to review progress and make joint decision on any issue;
- c. UNDP will cover per diem and transportation costs for participants and costs of training venue;
- d. The consultant is responsible to all costs including preparation of training materials, travel to and from Gambella and woredas (air and land transportation) and per diem to deliver the full package training to and from all the training sites**

V. QUALIFICATIONS OF THE SUCCESSFUL INDIVIDUAL CONTRACTOR (IC)

a. Education:

- Advanced University Degree in Law

Experience:

- A minimum of five years of experience in delivering trainings on the above topics

- Experience as a Judge, public prosecutor, Lecturer at Universities and who knows the refugee protection law and context especially South Sudanese Refugee context and the Gambella town host community context
 - Experience in mainstreaming gender equality and human rights in analysis
 - Have legal license to practice law or Training consultancy firm who gives similar trainings;
 - Strong experience in participatory training tools
 - Must provide a renewed license, VAT registered and provide government tax clearance document for this fiscal year
- b. Language:**
- Excellent knowledge of English and Amharic language, including the ability to set out a coherent argument in presentations and group interactions;
 - Additional knowledge of either of the Gambella region would be an advantage
 - Capacity to communicate fluently with different stakeholders (civil society, government authorities, local communities, project staff)
- c. Functional Competencies:**
- Ability to build strong relationship with clients, focuses on impact and results for the client and responds positively to the feedback;
 - Approaches the work with energy, positive and constructive attitude
 - Ability to anticipate and manage the needs and interests of multiple stakeholders and balance often contradictory expectations from stakeholders and actors;
 - Excellent public speaking and presentation skills
 - Computer skills: full command of Microsoft applications (word, excel, PowerPoint) and common internet applications will be required
- d. Core Competencies:**
- Demonstrates integrity by modelling the UN's values and ethical standards
 - Promotes the vision, mission, and strategic goals of UNDP;
 - Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability
 - Treats all people fairly without favouritism;
 - Fulfils all obligations to gender sensitivity and zero tolerance for sexual harassment.

VI. DURATION OF THE WORK³

- a. The consultancy is for a period of 40 working days excluding travel days within a period of 40 days. Tentatively, it is expected that all key results would be delivered before October 10, 2019.

³ *The IC modality is expected to be used only for short-term consultancy engagements. If the duration of the IC for the same TOR exceeds twelve (12) months, the duration must be justified and be subjected to the approval of the Director of the Regional Bureau, or a different contract modality must be considered. This policy applies regardless of the delegated procurement authority of the Head of the Business Unit.*

- b. The consultancy is expected to start immediately
- c. Any submitted document from the consultant to UNDP will be reviewed within 5 working days
- d. This is an important priority to the CSAJ project and thus no delay is accepted except by a force major, any possible delay or change of plan from the consultant must be discussed and agreed with UNDP.

VII. PAYMENT MILESTONES AND AUTHORITY

The qualified consultant shall receive his/her lump sum service fees upon certification of the completed tasks satisfactorily, as per the following payment schedule:

Instalment of Payment/ Period	Deliverables or Documents to be Delivered	Approval should be obtained	Percentage of Payment
1 st Instalment	Inception report outlining methodology and approach for the assignment and the presentation and adoption of plan to UNDP	UNDP	20 %
2 nd Instalment	Final report submitted, evaluated and feedback given	UNDP	80%
Total			100%

VIII. RECOMMENDED PRESENTATION OF TECHNICAL PROPOSAL

Interested consultants should submit cover letter expressing their interest and outlining their qualification and motivation for the consultancy together with CV and brief proposal on the methodology and approach for the assignment to the UNDP.

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TECHNICAL PROPOSAL COVER PAGES

Cover Page

Cover Letter

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- 1.3 Past Experience in Similar Consultancy and/or Projects
- 1.4 Implementation Timelines
- 1.5 List of Personal Referees
- 1.6 Bank Reference

SECTION II. ANNEXES

Annex a. Duly Signed Offeror’s Letter to UNDP Confirming Interest and Availability (use the template hereto)

Annex b. Duly Signed Personal CV’s

IX. CONFIDENTIALITY AND PROPRIETARY INTERESTS

The Individual Consultant shall not either during the term or after termination of the assignment, disclose any proprietary or confidential information related to the consultancy service without prior written consent. Proprietary interests on all materials and documents prepared by the consultants under the assignment shall become and remain properties of UNDP.

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

Date _____

(Name of Resident Representative/Bureau Director)
United Nations Development Programme
(Specify complete office address)

Dear Sir/Madam:

I hereby declare that:

- a) I have read, understood and hereby accept the Terms of Reference describing the duties and responsibilities of [*indicate title of assignment*] under the [*state project title*];
- b) I have also read, understood and hereby accept UNDP's General Conditions of Contract for the Services of the Individual Contractors;
- c) I hereby propose my services and I confirm my interest in performing the assignment through the submission of my CV or Personal History Form (P11) which I have duly signed and attached hereto as Annex 1;
- d) In compliance with the requirements of the Terms of Reference, I hereby confirm that I am available for the entire duration of the assignment, and I shall perform the services in the manner described in my proposed approach/methodology which I have attached hereto as Annex 3 *[delete this item if the TOR does not require submission of this document]*;
- e) I hereby propose to complete the services based on the following payment rate: *[pls. check the box corresponding to the preferred option]*:
 - An all-inclusive daily fee of *[state amount in words and in numbers indicating currency]*
 - A total lump sum of *[state amount in words and in numbers, indicating exact currency]*, payable in the manner described in the Terms of Reference.
- f) For your evaluation, the breakdown of the abovementioned all-inclusive amount is attached hereto as Annex 2;
- g) I recognize that the payment of the abovementioned amounts due to me shall be based on my delivery of outputs within the timeframe specified in the TOR, which shall be subject to UNDP's review, acceptance and payment certification procedures;
- h) This offer shall remain valid for a total period of _____ days *[minimum of 90 days]* after the submission deadline;
- i) I confirm that I have no first degree relative (mother, father, son, daughter, spouse/partner, brother or sister) currently employed with any UN agency or office *[disclose the name of the relative, the UN office employing the relative, and the relationship if, any such relationship exists]*;
- j) If I am selected for this assignment, I shall *[pls. check the appropriate box]*:
 - Sign an Individual Contract with UNDP;

- Request my employer *[state name of company/organization/institution]* to sign with UNDP a Reimbursable Loan Agreement (RLA), for and on my behalf. The contact person and details of my employer for this purpose are as follows:

k) I hereby confirm that *[check all that applies]:*

- At the time of this submission, I have no active Individual Contract or any form of engagement with any Business Unit of UNDP;
- I am currently engaged with UNDP and/or other entities for the following work:

Assignment	Contract Type	UNDP Business Unit / Name of Institution/Company	Contract Duration	Contract Amount

- I am also anticipating conclusion of the following work from UNDP and/or other entities for which I have submitted a proposa:

Assignment	Contract Type	Name of Institution/ Company	Contract Duration	Contract Amount

- l) I fully understand and recognize that UNDP is not bound to accept this proposal, and I also understand and accept that I shall bear all costs associated with its preparation and submission and that UNDP will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the selection process.
- m) ***If you are a former staff member of the United Nations recently separated, pls. add this section to your letter:*** I hereby confirm that I have complied with the minimum break in service required before I can be eligible for an Individual Contract.
- n) I also fully understand that, if I am engaged as an Individual Contractor, I have no expectations nor entitlements whatsoever to be re-instated or re-employed as a staff member.

Full Name and Signature:

Date Signed:

Annexes *[pls. check all that applies]:*

- CV
- Breakdown of Costs Supporting the Final All-Inclusive Price as per Template
- Brief Description of Approach to Work (if required by the TOR)