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04 September 2019

INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

for individual consultants and individual consultants assigned by consulting firms/institutions

Country:	Viet Nam
Description of the assignment:	01 International Consultant (IC) to Develop a tool for assessing the quality of public services under the management of the Ministry of Justice
Period of assignment/services (if applicable):	September 2019 – December 2019
Duty Station:	Home based and Vietnam
Tender reference:	D190902

1. Submissions should be sent by **email** to: nguyen.thai.duong@undp.org no later than:

23.59 hrs., 11 September 2019 (Hanoi time)

With subject line:

D190902 – 01 International Consultant (IC) to Develop a tool for assessing the quality of public services under the management of the Ministry of Justice.

Submission received after that date or submission not in conformity with the requirements specified this document will not be considered.

Note:

- Any individual employed by a company or institution who would like to submit an offer in response to this Procurement Notice must do so in their individual capacity, even if they expect their employers to sign a contract with UNDP.
- Maximum size per email is **30 MB**.
- Any request for clarification must be sent in writing, or by standard electronic communication to the address or e-mail indicated above. Procurement Unit – UNDP Viet Nam will respond in writing or by standard electronic mail and will send written copies of the response, including an explanation of the query without identifying the source of inquiry, to all consultants.
- After submitting proposal, bidder should send notification by email (without attachment) to: procurement.vn@undp.org informing that the bidder has submitted proposal. UNDP will not be responsible for the missing of proposal if the bidder does not send notification email to above address.

- Female consultants are encouraged to bid for this required service. Preference will be given to equally technically qualified female consultants.

2. Please find attached the relevant documents:

- [Term of References](#)..... (Annex I)
- [Individual Contract & General Conditions](#)..... (Annex II)
- [Reimbursable Loan Agreement](#) (for a consultant assigned by a firm)..... (Annex III)
- [Letter to UNDP Confirming Interest and Availability](#) (Annex IV)
- [Financial Proposal](#)(Annex V)

3. Interested individual consultants must submit the following documents/information (in English, PDF Format) to demonstrate their qualifications:

a. Technical component:

- Signed Curriculum vitae
- Signed Letter to UNDP Confirming Interest and Availability
- Two samples of reports to be submitted

b. Financial proposal (with your signature):

- The financial proposal shall specify a total lump sum amount in **VND for national consultant and US dollar for International Consultant** including consultancy fees and all associated costs i.e. airfares, travel cost, meal, accommodation, tax, insurance etc. – see format of financial offer in Annex V.
- Please note that the cost of preparing a proposal and of negotiating a contract, including any related travel, is not reimbursable as a direct cost of the assignment.
- If quoted in other currency, prices shall be converted to the above currency at UN Exchange Rate at the submission deadline.

4. Evaluation

The technical component will be evaluated using the following criteria:

Consultant(s)' experiences/qualification related to the services		
1.1	- Master's degree in law;	200
1.2	- Proven track record of conducting research;	200
1.3	- Minimum of 10 years of work experience in legal projects;	200
1.4	- Expertise and experience in relation to the designing and implementing justice index is an advantage;	100
1.5	- Expertise in conducting surveys, particularly in the area of rule of law, access to justice and human rights, is an advantage	100
1.6	- Experience of developing assessment tools regarding access to justice/rule of law in developing countries is highly desirable;	100
1.7	- Excellent writing skills in English language (two writing samples provided)	100
Total		1000

A two-stage procedure is utilized in evaluating the submissions, with evaluation of the technical components being completed prior to any price proposals being opened and compared.

The price proposal will be opened only for submissions that passed the minimum technical score of 70% of the obtainable score of 1000 points in the evaluation of the technical component. The technical component is evaluated on the basis of its responsiveness to the Term of Reference (TOR). Maximum 1000 points will be given to the lowest offer and the other financial proposals will receive the points inversely proportional to their financial offers. i.e. $S_f = 1000 \times F_m / F$, in which S_f is the financial score, F_m is the lowest price and F the price of the submission under consideration.

The weight of technical points is 70% and financial points is 30%.

Submission obtaining the highest weighted points (technical points + financial points) will be selected subject to positive reference checks on the consultant's past performance.

Interview with the candidates may be held if deemed necessary.

5. Contract

“Lump-sum” Individual Contract will be applied for freelance consultant (Annex II)

“Lump-sum” RLA will be applied for consultant assigned by firm/institution/organization (Annex III)

Documents required before contract signing:

- International consultant whose work involves travel is required to complete the courses on BSAFE which is the new online security awareness training and submit certificate to UNDP before contract issuance.
- Note: In order to access the courses, please go to the following link: <https://training.dss.un.org>
The training course takes around 3-4 hours to complete.
- Full medical examination and Statement of Fitness to work for consultants from and above 65 years of age and involve travel. (This is not a requirement for RLA contracts).
- Release letter in case the selected consultant is government official.

6. Payment

UNDP shall effect payments to the consultant (by bank transfer to the consultant's bank account provided in the vendor form upon acceptance by UNDP of the deliverables specified the TOR.

Payments are based upon outputs, i.e. upon delivery of the products specified in the TOR.

If two currencies exist, UNDP exchange rate will be applied at the day UNDP instructs the bank to effect the payment.

7. Your proposals are received on the basis that you fully understand and accept these terms and conditions.

ANNEX I



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TERMS OF REFERENCE

TITLE:	Developing a tool for assessing the quality of public services under the management of the Ministry of Justice - Activity 4.5.2.1 (EU JULE Program)
NATIONAL OR INTERNATIONAL:	One international consultant – senior expert (15 working days and one day mission to Hanoi or another province)
DURATION OF ASSIGNMENT:	September – December 2019
DUTY STATION:	Home based and in Viet Nam
COUNTRY OF ASSIGNMENT:	Viet Nam

1) GENERAL BACKGROUND

The Ministry of Justice (MOJ) currently manages and provides public services in 18 areas with a total of 440 administrative procedures directly related to people and businesses, such as civil status registration, notarization and authentication, granting criminal records, legal aid, and others. The improvement of the quality of public service provision and people's satisfaction when using public services is one of the key tasks of the MOJ.

By Decision No. 225/QD-TTg dated February 4, 2016 of the Prime Minister on approving the State administrative reform plan for the period of 2016-2020, the MOJ was assigned to develop a project for measuring people's satisfaction with public services under the management of the MOJ. The MOJ assigned the implementation of this task to the Office of the Ministry (OMOJ).

In 2018, OMOJ conducted a survey to determine the factors affecting people's satisfaction when using the public services under the management of the MOJ. On that basis, a draft questionnaire was prepared to measure people's satisfaction when using the public services under the management of the MOJ.

The EU Justice and Legal Empowerment Programme (EU JULE), implemented by the MOJ with UNDP and UNICEF, is designed to strengthen the rule of law through a more reliable, trusted and better accessed justice system, and specifically to increase access to justice for women, children and those groups which, according to dependable data, face the greatest obstacles in using the justice system to invoke their rights including ethnic minorities and poor people.

Activity 4.5 of this Programme is to support MOJ to measure performance in the justice sector to monitor the performance of justice agencies at local level. In order to assess the quality of the mentioned services, it is necessary to measure various aspects that matter to the justice agencies' functions, such as: relevant laws and regulations, capacity of personnel, the use of technology, procedures, infrastructure and so on. As the first step of the measurement process, OMOJ and UNDP will work together to develop a report assessing the public services under the management of MOJ through perceptions of service users.

Under this activity, UNDP will hire a consultancy firm to support OMOJ in the development of a participatory and empirical tool for assessing quality of public services under the management of the MOJ. The tool will be utilized for construction of a tool to measure performance in the sector. This assignment should build upon previous work of the MOJ on the survey to measure people's satisfaction when using the public services under the management of the MOJ, as well as the Justice Index previously developed by UNDP.

In this context, UNDP seeks to hire an international consultant – a senior legal expert to work together with the UNDP-selected national consultancy firm/the team of national experts to carry out the assignment.

2) OBJECTIVES OF THE ASSIGNMENT

The key objective of the assignment is to work together with the UNDP-selected national consultancy firm to develop a participatory and empirical tool for assessing quality of selected public services managed by the MOJ.

3) SCOPE OF WORK

- Studying and developing an analysis on international best practices on justice public service assessment tools and provide examples of tools that can be applied in Viet Nam to share with the team of national experts, with reference to the Justice Index previously developed by UNDP;
- Provide inputs/advice for the draft tool for assessing quality of the public services managed by the MOJ in the three areas: civil status registration, notarization and authentication and granting criminal records in Viet Nam;
- Attend and deliver a presentation at a consultation workshop in Viet Nam on international best practices and recommendations for developing a survey tool for assessing quality of justice public services in Viet Nam;
- Provide advice on the data collection process, how to analyze and present the data, structure the report;
- Provide inputs to and edit/proofread the English survey report;
- Edit/proofread the English final version of the survey tool.

4) DURATION OF ASSIGNMENT, DUTY STATION AND EXPECTED PLACES OF TRAVEL

The assignment will be carried out within September – December 2019.

Duty station: Home based and one mission to Hanoi or other province for 1-day workshop

5) FINAL PRODUCTS***

- An analysis on international best practices on justice public service assessment tools and provide examples of tools that can be applied in Viet Nam;
- Inputs/advice for the draft tool for assessing quality of the public services managed by the MOJ in the three areas: civil status registration, notarization and authentication and granting criminal records in Viet Nam;
- Power point presentation on international best practices and recommendations;
- Advice on the data collection process, how to analyze and present the data, structure the report;
- Inputs to the English survey report;
- The English final version of the tool edited/proofread;
- The English final version of the survey report edited/proofread.

6) PROVISION OF MONITORING AND PROGRESS CONTROLS

The international expert will work in close collaboration with the Programme Officer in charge at the UNDP Governance and Participation Team and with the team of national consultants.

Monitoring and Progress Control will be followed up by the timeline below:

#	Activities	Timeline
1.	Signing of contracts	September 2019
2.	Submission of the analysis on international best practices on justice public service assessment tools and provide examples of tools that can be applied in Viet Nam	September 2019
3.	Provision of inputs/advice for the draft tool for assessing quality of the public services managed by the MOJ in the three areas: civil status registration, notarization and authentication and granting criminal records in Viet Nam	September 2019
4.	Attend and deliver presentation at a consultation workshop in Ha Noi, Viet Nam on international best practices and recommendations	September/October 2019
5.	Provision of advice on the data collection process, how to analyze and present the data, structure the report	October 2019
6.	Provision of inputs to the survey report	November 2019
7.	Edit the English final version of the report and the English final version of the tool	December 2019

7) DEGREE OF EXPERTISE AND QUALIFICATIONS

- Master's degree in law;
- Proven track record of conducting research;
- Minimum of 10 years of work experience in legal projects;
- Expertise and experience in relation to the designing and implementing justice index is an advantage;
- Expertise in conducting surveys, particularly in the area of rule of law, access to justice and human rights, is an advantage
- Experience of developing assessment tools regarding access to justice/rule of law in developing countries is highly desirable;
- Excellent speaking and writing skills in English language.

8) REVIEW TIME REQUIRED AND PAYMENT TERM

- 30% of contract amount shall be paid upon submission of the analysis on international best practices on justice public service assessment tools and provide examples of tools that can be applied in Viet Nam;
- 70% of contract amount shall be paid upon satisfactory completion of all remaining products specified in the TORs.

9) CONSULTANT PRESENCE REQUIRED ON DUTY STATION/UNDP PREMISES

NONE PARTIAL INTERMITTENT FULL-TIME

10) EVALUATION CRITERIA WITH ASSIGNED SCORES

International consultant – Senior legal expert:

Consultant(s)' experiences/qualification related to the services		
1.1	- Master's degree in law;	200
1.2	- Proven track record of conducting research;	200
1.3	- Minimum of 10 years of work experience in legal projects;	200
1.4	- Expertise and experience in relation to the designing and implementing justice index is an advantage;	100
1.5	- Expertise in conducting surveys, particularly in the area of rule of law, access to justice and human rights, is an advantage	100
1.6	- Experience of developing assessment tools regarding access to justice/rule of law in developing countries is highly desirable;	100
1.7	- Excellent writing skills in English language (two writing samples provided)	100
Total		1000

ANNEX IV

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 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: [*please 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 V;
- 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;

D) 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 *[please 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 proposal:

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, please 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.

O) Are any of your relatives employed by UNDP, any other UN organization or any other public international organization?

YES NO If the answer is "yes", give the following information:

Name	Relationship	Name of International Organization

P) Do you have any objections to our making enquiries of your present employer?

YES NO

Q) Are you now, or have you ever been a permanent civil servant in your government's employ?

YES NO If answer is "yes", WHEN?

R) REFERENCES: List three persons, not related to you, who are familiar with your character and qualifications.

Full Name	Full Address	Business or Occupation

S) Have you been arrested, indicted, or summoned into court as a defendant in a criminal proceeding, or convicted, fined or imprisoned for the violation of any law (excluding minor traffic violations)?

YES NO If "yes", give full particulars of each case in an attached statement.

I certify that the statements made by me in answer to the foregoing questions are true, complete and correct to the best of my knowledge and belief. I understand that any misrepresentation or material omission made on a Personal History form or other document requested by the Organization may result in the termination of the service contract or special services agreement without notice.

DATE: _____

SIGNATURE: _____

NB. You will be requested to supply documentary evidence which support the statements you have made above. Do not, however, send any documentary evidence until you have been asked to do so and, in any event, do not submit the original texts of references or testimonials unless they have been obtained for the sole use of UNDP.

Annexes *[please check all that applies]:*

CV shall include Education/Qualification, Professional Certification, Employment Records /Experience

Breakdown of Costs Supporting the Final All-Inclusive Price as per Template

GUIDELINES FOR CV PREPARATION

WE REQUEST THAT YOU USE THE FOLLOWING CHECKLIST WHEN PREPARING Your CV:

Limit the CV to 3 or 4 pages

NAME (First, Middle Initial, Family Name)

Address:

City, Region/State, Province, Postal Code

Country:

Telephone, Facsimile and other numbers

Internet Address:

Sex, Date of Birth, Nationality, Other Citizenship, Marital Status

Company associated with (if applicable, include company name, contact person and phone number)

SUMMARY OF EXPERTISE

Field(s) of expertise (be as specific as possible)

Particular development competencies-thematic (e.g. Women in Development, NGOs, Privatization, Sustainable Development) or technical (e.g. project design/evaluation)

Credentials/education/training, relevant to the expertise

LANGUAGES

Mother Tongue:

Indicate written and verbal proficiency of your English:

SUMMARY OF RELEVANT WORK EXPERIENCE

Provide an overview of work history in reverse chronological order. Provide dates, your function/title, the area of work and the major accomplishments include honorarium/salary.

References (name and contact email address) must be provided for each assignment undertaken by the consultant that UNDP may contact.

UN SYSTEM EXPERIENCE

If applicable, provide details of work done for the UN System including WB. Provide names and email address of UN staff who were your main contacts. Include honorarium/salary.

UNIVERSITY DEGREES

List the degree(s) and major area of study. Indicate the date (in reverse chronological order) and the name of the institution where the degree was obtained.

PUBLICATIONS

Provide total number of Publications and list the titles of 5 major publications (if any)

MISCELLANEOUS

Indicate the minimum and maximum time you would be available for consultancies and any other factors, including impediments or restrictions that should be taken into account in connection with your work with this assignment.

Annex V

FINANCIAL OFFER

Having examined the Solicitation Documents, I, the undersigned, offer to provide all the services in the TOR for the sum of (VND for National Consultant; USD for international Consultant).

This is a lump sum offer covering all associated costs for the required service (fee, meal, accommodation, travel, taxes etc).

Cost breakdown:

No.	Description	Quantity	Unit Rate	Total
1	Consultancy fee			
2	Out of pocket expenses			
2.1	Travel			
2.2	Per diem			
2.3	Full medical examination and Statement of Fitness to work for consultants from and above 65 years of age and involve travel – (required before issuing contract).			
2.5	Others (pls. specify)			
	TOTAL			

** Individual Consultants/Contractors who are over 65 years of age with assignments that require travel and are required, **at their own cost**, to undergo a full medical examination including x-rays and obtaining medical clearance from **an UN-approved doctor** prior to taking up their assignment.*

I undertake, if my proposal is accepted, to commence and complete delivery of all services specified in the contract within the time frame stipulated.

I agree to abide by this proposal for a period of 120 days from the submission deadline of the proposals.

Dated this day /month _____ of year _____

Signature

(The costs should only cover the requirements identified in the Terms of Reference (TOR) Travel expenses are not required if the consultant will be working from home).