



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: 18 February 2020
Reference: LBN/CO/IC/26/20

Country: Lebanon

Description of the assignment: Long Term Agreement for a Legal Specialist National Consultant for Construction projects

Project name: Lebanese Host Communities Support Project

Period of assignment/services: Two years with an option to extend for One year based on the performance of the first two years

Proposals should be submitted online through the UNDP job site at <https://jobs.undp.org/> no later than; **26 February 2020 at 11:59 PM Beirut Local Time. Proposals will not be received through email.**

Any request for clarification must be sent in writing to the e-mail Procurement.lb@undp.org The UNDP Procurement Unit will respond in writing 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.

1. BACKGROUND

Eight years into the Syrian crisis, Lebanon remains at the forefront of one of the worst humanitarian crises of our time and has shown exceptional commitment and solidarity to the people displaced by the war in Syria. With the protracted nature of the crisis, refugees are living in poverty, accumulating debt and making tough choices to reduce costs, with negative consequences for quality of shelter, access to health, clean water and education opportunities. Furthermore, areas with the highest concentration of refugees, North Lebanon and the Bekaa valley, are among the poorest and most underserved regions of Lebanon. Even before the crisis, social services, infrastructure and livelihood opportunities were inadequate. Now, increased refugee populations are putting enormous pressure on Lebanon's infrastructure such as transport, water and irrigation, wastewater and solid waste education and health care systems, livelihood and jobs competition, with critical consequences for Lebanon's natural and environmental resources.

In parallel, the protracted nature of displacement in Lebanon has impacted different segments of the population differently, due to their particular vulnerabilities, coping capacities and susceptibility to threats. Socio-economic vulnerabilities, exacerbated by the protracted emergency, are worse amongst

female-headed households, and even higher for those living in families with disabilities, who are also less food secure, have worse diets, adopt severe coping strategies more often, and have higher poverty levels.

The Lebanon Host Communities Support Project (LHSP) is developed within the framework of the interventions conducted by the UNDP in partnership with the Ministry of Social Affairs (MoSA), Ministry of Interior and Municipalities (MoIM), CDR and other entities, local governments and civil society organizations, to implement activities aimed at enhancing social stability and promoting development as part of a national strategy to respond to the crisis. LHSP is fully integrated in the framework of the LCRP 2017-2020 (Social Stability and Livelihood Sectors) and in alignment with the Capital Investment Program (Cedre) and Lebanon Economic Vision (McKenzie).

Based on a clear Theory of Change and strategy, four outputs are envisioned in the forthcoming phase:

- Output 1: Capacity of local stakeholders strengthened to assess and respond to the needs of the community in the design and delivery of interventions in a conflict-sensitive and participatory manner.
- Output 2: Competition for basic services reduced in vulnerable communities.
- Output 3: Income generation for vulnerable Lebanese and Syrian refugees created through intensive labour activities supporting rapid employment schemes.
- Output 4: Jobs opportunities increased particularly for vulnerable women, disabled persons and youth.

From 2014 to 2019 LHSP's portfolio included more than 500 projects (infrastructure, livelihood), 13 donors and a budget of around 170 million USD, being the major response of UNDP Lebanon to the impact of the crisis in the country. To monitor LHSP implementation and report to partners and donor, LHSP installed an IM tool for tracking activities and financial status, providing data analysis that generate inputs for LHSP and LCRP.

Under the supervision of the CTA of LHSP and in close coordination with the LHSP Head of the Engineering Unit and the Area Managers, the Legal Advisor consultant will have the responsibility to advise LHSP about the legal procedure of the projects' execution.

2. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED ANALYTICAL WORK

The selected consultant shall be responsible – for each project – of the following tasks:

- For each construction/infrastructure/agriculture project given to the consultant, the latter shall prepare the check list of the local legal papers, needed permits, which governmental institution approval is needed to start the project. The consultant should specify the estimated time frame for the beneficiary to provide those papers.
- The consultant should follow up with the concerned entities (beneficiary at the field level, governmental institution etc...) to make sure that the papers are delivered on time and the procedures of this issue is being applied by the concerned parties.
- For each project, the consultant will review, study the specified papers provided as per deliverable one and give UNDP the recommendations if the project is feasible and to proceed with the implementation. If yes, what are the conditions to be imposed on the beneficiary to proceed with this project

- To identify, organize and systematize all the needed established legal and construction/infrastructure permit according to the current national law for the different type of projects.
- For new projects identified and to be implemented through LHSP, the consultant should support the beneficiaries in getting all legal and construction permit.
- When needed for any project, the consultant might be asked to do visit to the site, beneficiary, governmental institute, UNDP regional offices (Tripoli, Tyre, Chtoura and Hazmieh)
- When requested, the consultant might need to bring in person the local legal papers of the projects from the governmental institute. The permits is not included in the legal papers.
- In coordination with UNDP, the consultant will be requested to advise on construction/infrastructure projects' letters signed between LHSP and the beneficiary (municipality). This letter should include but not limited to: time frame to provide the needed permits and approval from the governmental institutes, the requested scope of work from the municipality etc...

For additional information, please refer to ANNEX I – Terms of Reference

3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

I. Academic Qualifications:

- A Bachelor's degree in Law and **must be registered in the syndicate of lawyers (This criterion is mandatory, the individual that does not submit the registration certificate of the syndicate will be automatically disqualified).**

II. Years of experience:

- A minimum of 7 years of relevant experience in Lebanese law .

III. Technical experience:

- Experience on law rules and regulations and disputes regarding public and municipality public works,
- Experience in drafting contracts formalities and concerned document,
- Experience with public institutions,
- Experience in researching and writing legal documents,
- Experience in dispute and negotiation resolution system.

IIV. Other Assets:

- Strong organizational, interpersonal, communication and problem-solving skills,
- Ability to plan and prioritize own workload,
- Strong monitoring and reporting skills,
- Ability to work under pressure,

- Ability to assume responsibility and to coordinate with others,
- Effective oral and written communication skills, as well as research skills,
- Attention to detail and ability to handle tasks accurately,
- Ability to work under pressure,
- Computer literate,
- Ability to assume responsibility and to coordinate with others,
- Work part of a team.

4. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS.

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

(I). Technical Proposal:

- (i) **Letter to UNDP Confirming Interest and Availability for the Individual Contractor (IC) Assignment**
- (ii) **Explaining why** you are the most suitable for the work
- (iii) P11 (Personal History Form) including past experience in **similar projects** and at least **3 references**, mentioning the **references' e-mails addresses**.
- (iv) **Methodology**
- (v) **Registration certificate of the Law Syndicate**

5. 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. Payments are based upon output, i.e. upon delivery of the services specified in the TOR as follows:

- *The payment will be issued based on the below deliverables:*

Deliverables/ Outputs	Estimated Working days	Estimated Duration to Complete	Review and Approvals Required <i>(Indicate designation of person who will review output and confirm acceptance)</i>
Deliverable 1	4	10 Calendar days from UNDP confirmation/Po issuance date	The Engineering Unit of LHSP
Deliverable 2	2	10 Calendar days after finalizing deliverable 1	The Engineering Unit of LHSP
Deliverable 3	7	15 Calendar days from UNDP confirmation/Po issuance date	The Engineering Unit of LHSP

Deliverable 4	4	10 Calendar days from UNDP confirmation/Po issuance date	The Engineering Unit of LHSP
Deliverable 5	1	3 Calendar days from UNDP confirmation/Po issuance date	The Engineering Unit of LHSP
Deliverable 6 using UNDP transportation	2	7 Calendar days after noticing the consultant to do deliverable 5	The Engineering Unit of LHSP
Deliverable 6 using the consultant car	2	7 Calendar days after noticing the consultant to do deliverable 5	The Engineering Unit of LHSP
Deliverable 7	4	10 days after instructing the consultant to start this task.	The Engineering Unit of LHSP
Deliverable 8	2	7 days after instructing the consultant to start this task.	The Engineering Unit of LHSP

For projects related to agriculture roads and utilities (water, sewages, storm, embedded electrical cables etc.), please find below a table of deliverables:

Deliverables/ Outputs	Estimated Working days	Estimated Duration to Complete	Review and Approvals Required <i>(Indicate designation of person who will review output and confirm acceptance)</i>
Deliverable 1	4	10 Calendar days from UNDP confirmation/Po issuance date	The Engineering Unit of LHSP
Deliverable 2	2	10 Calendar days after finalizing deliverable 1	The Engineering Unit of LHSP
Deliverable 3	7	15 Calendar days from UNDP confirmation/Po issuance date	The Engineering Unit of LHSP
Deliverable 4	4	10 Calendar days from UNDP confirmation/Po issuance date	The Engineering Unit of LHSP
Deliverable 5	1	3 Calendar days from UNDP confirmation/Po issuance date	The Engineering Unit of LHSP
Deliverable 6 using UNDP transportation	2	7 Calendar days after noticing the consultant to do deliverable 5	The Engineering Unit of LHSP
Deliverable 6 using the consultant car	2	7 Calendar days after noticing the consultant to do deliverable 5	The Engineering Unit of LHSP
Deliverable 7	4	10 days after instructing the consultant to start this task.	The Engineering Unit of LHSP
Deliverable 8	2	7 days after instructing the consultant to start this task.	The Engineering Unit of LHSP

In order to assist the requesting unit in the comparison of financial proposals, **the financial proposal shall include a breakdown of this lump sum amount (including travel, per diems, and number of anticipated working days).** The financial proposal shall be presented using the enclosed format of Appendix a - Annex III.

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.

6. EVALUATION

Individual consultants will be evaluated based on the following methodology:

Cumulative analysis

When using this weighted scoring method, the award of the contract should be made to the individual consultant whose offer has been evaluated and determined as:

a) responsive/compliant/acceptable, and

b) Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation. * *Technical Criteria weight; [70%]*

* *Financial Criteria weight; [30%]*

Only candidates obtaining a minimum technical score of 70 points would be considered for the Financial Evaluation.

Criteria	Weight	Max. Point
Technical Competence	70%	100
Criteria A: Academic Qualifications ○ Bachelor's degree in law or equivalent: 15 points ○ Master's degree or higher: 20 points <u>(This criterion is mandatory, the individual that does not submit the registration certificate of the syndicate will be automatically disqualified).</u>		20

Criteria B: Experience		45
<ul style="list-style-type: none"> ○ 7 years of experience= 10 points; 10 years of experience or higher= 15 points ○ Experience on law rules and regulations and disputes regarding public and municipality public works = 5 points ○ Experience in drafting contracts formalities and concerned document = 5 points ○ Experience with public institutions = 10 points ○ Experience in researching and writing legal documents = 5 points ○ Experience in dispute and negotiation resolution system = 5 points 		
Criteria C: Methodology		35
Financial (Lower Offer/Offer*100)	30%	100
Total Score	Technical Score * 0.7 + Financial Score * 0.3	

How to apply:

The consultancy is open for all national consultants who meet the selection criteria and propose a competitive fee. Interested consultants are requested to apply only through this UNDP jobs portal.

Submissions through any other media will not be considered.

The application must include all of the following documents:

1. P11,
2. Annex 3 (Offerors Letter) and
3. Financial proposal
4. Methodology
5. Registration certificate of the Law Syndicate

All files shall be submitted in **one single document** and uploaded as word or PDF file to the UNDP job site https://jobs.undp.org/cj_view_jobs.cfm.

It has been observed that bidders don't submit all requested documents and thus reducing their chance to be selected for a contract with UNDP. before you submit your offer please revise that the application is complete and comprises all five (5) documents. **Incomplete applications will not be considered.**

ANNEXES

ANNEX I - TERMS OF REFERENCE (TOR)

ANNEX II - INDIVIDUAL CONSULTANT CONTRACT AND GENERAL TERMS AND CONDITIONS

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

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

Date _____

Celine Moyroud
Resident Representative
United Nations Development Programme
Arab African International Bank Building
Riad El Solh Street, Nejme, Beirut 2011 5211
P.O. Box 11-3216 Beirut, Lebanon

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 a Long Term Agreement for a Legal Specialist National Consultant for Construction projects.
- 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;
- e) I hereby propose to complete the services based on the following payment rate : *[pls. check the box corresponding to the preferred option]:*

☐ 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 Appendix a;
- 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 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 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, 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.
- o) UNDP is committed to provide security measures for all Contractors and to address the issue of Harassment, Sexual Harassment, Discrimination, and Abuse of Authority.

Therefore, I confirm that if I am engaged as an Individual Contractor, before signing the contract, I will have to pass the online BSAFE training course (ca. 2 hrs) and the online training course (ca. 90 min) on prevention of sexual exploitation and abuse (PSEA) that can be accessed through the UNICEF learning platform at <https://agora.unicef.org/login/signup.php>

Full Name and Signature:

Date Signed:

Annexes [pls. check all that applies]:

- ☐ Duly signed P11 Form, in addition to at least 3 References' e-mails addresses
- ☐ Breakdown of Costs Supporting the Final All-Inclusive Price as per Template
- ☐ Brief Description of Approach to Work (if required by the TOR)

APPENDIX a

BREAKDOWN OF COSTS SUPPORTING THE ALL-INCLUSIVE FINANCIAL PROPOSAL

A. Breakdown of Cost by Components:

Cost Components	Unit Cost	Estimated Working days	Total Amount in USD
I. Personnel Costs			
Professional Fees		Please indicate the unit rate per day. <i>(The maximum working days is 521 for 2 years)</i>	
Life Insurance			
Medical Insurance			
Communications			
Land Transportation			
Others (pls. specify)			
II. Travel Expenses to Join duty station			
Round Trip Airfares to and from duty station			
Living Allowance			
Travel Insurance			
Terminal Expenses			
Others (pls. specify)			
III. Duty Travel			
Round Trip Airfares			
Living Allowance			
Travel Insurance			
Terminal Expenses			
Others (pls. specify)			

Full Name and Signature:

Date Signed:
