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20 April 2020

## 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 to develop a guiding document on piloting good models and initiatives for grassroots mediation conducted by the Viet Nam Lawyers Association
Period of assignment/services (if applicable):	May 2020 – August 2020
Duty Station:	Home-based
Tender reference:	T200402

1. Submissions should be sent by **email** to: [luu.thi.trang@undp.org](mailto:luu.thi.trang@undp.org) no later than:

**23.59 hrs., 04 May 2020 (Hanoi time)**

With subject line:

**T200402 - 01 International Consultant to develop a guiding document on piloting good models and initiatives for grassroots mediation.**

Submission received after that date or submission not in conformity with the requirements specified in 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](mailto: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
- Proven track record in how-to manual/curriculum/guiding document development must be provided.
- One written sample 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		Point
1.	Advanced university degree in law or related fields;	200
2.	A minimum of 10 years of work experience in designing justice models, preferably in the field of alternative dispute resolution; Experience working in the field of justice in Viet Nam is preferable;	300
3.	Proven track record in how-to manual/curriculum/guiding document development; One written sample to be submitted;	300
4.	Experience working as a technical consultant of similar assignments will be an asset;	100
5.	Excellent language skills in English.	100
<b>Total</b>		<b>1000</b>

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 to the payment.

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

## TERMS OF REFERENCE

Service		Develop a guiding document on piloting good models and initiatives for grassroots mediation conducted by the Viet Nam Lawyers Association
National or international	or	International – 10 working days
Duty station:		Home-based
Duration of assignment	of	May – August 2020
Country of assignment		Viet Nam

### 1. Background

In Viet Nam, grassroots mediation is one of the most popular out-of-court mechanisms for dispute resolution. It often covers minor disputes arising from family and civil relationships, and within communities. The Law on Grassroots Mediation of 2013 currently regulates mediation activities at the grassroots level in the country.

Viet Nam Lawyers Association (VLA) as a “political, social, professional association” under the Viet Nam Fatherland Front, has been one of the mediation providers at the grassroots level in Viet Nam. VLA’s members are professionals with legal expertise and experience. The most common mediation mechanism conducted by VLA is the combined model where mediation becomes an integral part of legal consultation (so called ‘legal consultative mediation’). This mechanism of mediation applies for minor disputes relating to land, marriage, family and other civil issues.

The EU Justice and Legal Empowerment Programme in Vietnam (the EU JULE Programme) funded by the EU and being implemented by UNDP and UNICEF seeks to strengthen the rule of law through a more reliable, trusted and better accessed justice system. Its specific objective is to increase access to justice for vulnerable groups and in particular for women, children, ethnic minorities, and poor people in Vietnam.

In 2019, under the EU JULE Programme, a survey report assessing the current situation and identifying good practices/models to resolving disputes at the grassroots level by VLA was prepared. The report found a number of good practices/models for effective grassroots mediation in surveyed locations (Dien Bien, Ha Tinh, and Soc Trang). As one of the key recommendations for future interventions, the report recommended VLA to further study these practices/models. The goal is to develop a set of good practices or models for grassroots mediation that can be piloted and potentially multiplied throughout the VLA’s system.

UNDP now seeks to hire an international consultant to support the UNDP-selected national consultant in developing a guiding document on piloting good models and initiatives for grassroots mediation conducted by VLA.

## 2. Objectives

The key objective of the assignment is to work together with the UNDP-selected national consultant to develop a guiding document on piloting good models and initiatives for grassroots mediation conducted by the Viet Nam Lawyers Association

## 3. Final product

- A written proposal on 3 successful models/initiatives on mediation at the grassroots level, that can be applied for Viet Nam;
- Inputs/advice on the selection of models proposed, and the outline of the guiding document developed by the national consultant;
- Inputs/advice on the draft guiding document developed by the national consultant;
- The English final version of guiding document edited/proofread;

## 4. Scopes of works:

Total number of working days: 10.

No	Tasks	Day allocation
1.	Provide 3 successful models/initiatives on mediation at the grassroots level, that can be applied for Viet Nam	3
2.	Participate in discussions (in person - in case the consultant is Hanoi based, or online) between the national consultant, UNDP and VLA on the selection of models/initiatives for grassroots mediation that can be conducted by VLA	1
3.	Review and provide comments in writing on the proposal on the selected models/initiatives developed by national consultant	1
4.	Review and provide feedback on the outline of the guiding document developed by the national consultant	1
5.	Review and provide feedback on the draft guiding document developed by the national consultant	2
6.	Edit the English version of the guiding document	2
<b>Total</b>		<b>10</b>

## 5. Expected qualifications

- Advanced university degree in law, or related fields;
- A minimum of 10 years of work experience in designing justice models, preferably in the field of alternative dispute resolution; Experience working in the field of justice in Viet Nam is preferable;
- Proven track record in how-to manual/curriculum/guiding document development; One written sample to be submitted;

- Experience working as a technical consultant of similar assignments will be an asset;
- Excellent language skills in English.

6. Provision of monitoring and progress controls

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

Outputs	Description	Timeline
1.	Provide 3 successful models/initiatives on mediation at the grassroots level, that can be applied for Viet Nam	May 2020
2.	Participate in discussions (in case the consultant is Hanoi based, or online) between the national consultant, UNDP and VLA on the selection of models/initiatives for grassroots mediation that can be conducted by VLA	May 2020
3.	Review and provide comments in writing on the proposal the selected models/initiatives developed by national consultant	May/June 2020
4.	Review and provide feedback on the outline of the guiding document developed by the national consultant	June/July 2020
5.	Review and provide feedback on the draft guiding document developed by the national consultant	June/July 2020
6.	Edit the English version of the guiding document	August 2020

7. Duration of assignment, Duty station and expected places of Travel

The duty station for this assignment shall be home based. The consultant is expected to provide services specified in this TOR from May to August 2020.

8. Reviewed time required and payment terms

- 1<sup>st</sup> installment: 20% of the contract value will be paid after UNDP receives and verifies output 1;
- 2<sup>nd</sup> installment: 50% of the total contract value will be paid after UNDP receives and verifies outputs 2, 3, 4 and 5;
- Final installment: 30% of the total contract value will be paid after UNDP receives and verifies all remaining deliverables.

9. Consultant presence required on duty UNDP premises

☒ NONE      ☐ PARTIAL      ☐ INTERMITTENT      ☐ FULL-TIME

## 10. Documents to be submitted for evaluation

- One-page letter of interest showing competencies;
- CV;
- One written sample of a manual to be submitted;

### EVALUATION CRITERIA

Consultant(s)' experiences/qualification related to the services		Point
1.	Advanced university degree in law or related fields;	200
2.	A minimum of 10 years of work experience in designing justice models, preferably in the field of alternative dispute resolution; Experience working in the field of justice in Viet Nam is preferable;	300
3.	Proven track record in how-to manual/curriculum/guiding document development; One written sample to be submitted;	300
4.	Experience working as a technical consultant of similar assignments will be an asset;	100
5.	Excellent language skills in English.	100
<b>Total</b>		<b>1000</b>



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;

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 [*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.

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**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).			
2.4	Others (pls. specify) ....			
	<b>TOTAL</b>			

*\* 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).*