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19 June 2020

INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

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

Country:	Viet Nam
Description of the assignment:	National Consultants to developing a guiding document on statistical analysis to assess the provision of legal aid and grassroots mediation services
Period of assignment/services (if applicable):	July to November 2020
Duty Station:	Home-based and Hanoi
Tender reference:	P200603

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

23.59 hrs., 30 June 2020 (Hanoi time)

With subject line:

P200603A– Team leader to developing a guiding document on statistical analysis to assess the provision of legal aid and grassroots mediation services

P200603B– Team member to developing a guiding document on statistical analysis to assess the provision of legal aid and grassroots mediation services

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:

- Detailed CV addressing the experience and work
- Financial offer
- Letter of Interest and Availability
- 1 Related report/document in English to be submitted (report in the field of statistics would be highly desirable) **(Team leader)**
- 1 Related report/document (preferably in English) to be submitted (report in the field of statistics would be highly desirable) **(Team member)**

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.

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4. Evaluation

The technical component will be evaluated using the following criteria:

a) National consultant – Team Leader

Consultant(s)' experiences/qualification related to the services		Point
1.	Master's degree in law or higher;	200
2.	At least 15 years of working experience in law;	400
3.	At least 5 years of experience in one of the following sectors: legal aid, grassroots mediation, judicial statistics;	300
4.	Excellent writing skills in English and Vietnamese; one writing sample in English to be submitted;	100
Total		1000

b) National consultant – Team Member

Consultant(s)' experiences/qualification related to the services		Point
1.	Master's degree in law or higher;	200
2.	At least 12 years of working experience in law	400
3.	At least 5 years of experience in judicial statistics;	300
4.	Good writing skills in English and Vietnamese; one writing sample (preferably in English) to be submitted;	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 the new online security awareness training is 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

The following payment schedules will apply:

- 1st installment: 20% of contract amount upon receiving and acceptance by UNDP of an outline of the guiding document;
- 2nd installment: 40% of contract amount upon receiving and acceptance by UNDP of the draft guiding document;
- Final installment: 40% of contract amount shall be paid upon satisfactory completion of all deliverables specified in the TORs and accepted by UNDP.

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

TERMS OF REFERENCE

Service:	Developing a guiding document on statistical analysis to assess the provision of legal aid and grassroots mediation services
National or international:	Two national consultants
Duty station:	Home based & Hanoi
Country of assignment:	Viet Nam
Duration of assignment:	From July to November 2020

1. Background

Since October 2018, the Ministry of Justice has collaborated with the European Union (EU) to implement the EU Justice and Legal Empowerment Program in Vietnam (EU JULE) funded by EU. The objective of the EU JULE Program is to strengthen the rule of law through a more accessible and reliable justice system. The Program targets disadvantaged groups, especially women, children, ethnic minorities and the poor, in order to support them in solving difficulties in using public services in the judicial system to perform their rights in accordance with the law.

The project consists of two components. The Pagoda component is managed by the Ministry of Justice's Project Management Unit in coordination with the United Nations Development Program (UNDP) and the United Nations Children's Fund (UNICEF), focusing on technical assistance and capacity building of some agencies and organizations of the Government of Vietnam. The JIFF component supports organizations that are legally established and operated in accordance with Vietnamese law to carry out activities to support access to justice for Vietnamese citizens.

The activity on **developing a guiding document on statistical analysis to assess the provision of legal aid and grassroots mediation services** is part of the EU JULE program under the Pagoda component. This activity is implemented by the Department of Planning and Finance and UNDP, in collaboration with the Department of International Cooperation. The purpose of this activity is to develop a guiding document on analyzing statistical data in order to assess the performance of grassroots mediation and legal aid services, which have significant impact on vulnerable groups. This guiding document will be a tool to help judicial officials providing grassroots mediation and legal aid services at all levels to evaluate their work, through statistical evidence, so that they can make appropriate changes and reforms.

The guiding document will be included in the MOJ's handbook distributing for government officials (at all three levels: commune, province and central) who are in charge of statistics. The handbook will be published (in print and online) and endorsed by MOJ.

2. Objectives

To develop a **guiding document on statistical analysis to assess the provision of legal aid and grassroots mediation services** The document will include 2 main components:

- Providing general and basic knowledge on key principles and the methodology of conducting statistics.
- Providing guidance on conducting statistical analysis to assess the provision of grassroots mediation and legal aid services.

Target audience/users: Government officials in charge of statistics at the Department of Justice, the Division of Justice and the Commune People's Committees.

3. Scope of work

National consultant – Team Leader (19 days)

No	Tasks	Day allocation
1.	Developing the outline of the guiding document	2
2.	Drafting guidelines for producing and managing statistics on the provision of legal aid	5
3.	Drafting guidelines on how to analyze and assess the provision of public services in the fields of grassroots mediation and legal aid through annual statistics	7
4.	Preparing a presentation on the draft guiding document to collect comments from participants at the consultation workshop	2
5.	Finalizing the guiding document	3
Total		19

National consultant – Team member (15 days)

No	Tasks	Day allocation
1.	Summarizing the current legal regulations on the statistical reporting regime in the justice sector (including general provisions and specific provisions in the fields of legal aid and grassroots mediation)	3
2.	Reviewing and collecting statistics of grassroots mediation and legal aid provision for the period from 2015 to 2019 (this will serve as specific examples for the guiding document)	3
3.	Drafting key principles and methodology of conducting statistics and about statistics operation in the justice sector, including methods of collecting statistical data, statistical reporting systems of the justice sector, and detailed guidelines on conducting statistics in the field of grassroots mediation	5
4.	Supporting Team Leader to prepare a presentation on the draft guiding document to collect comments from participants at the consultation workshop; selecting and incorporating the comment to the draft guiding document	2
5.	Assisting Team Leader to edit and finalize the guiding document	2
Total		15

4. Final product:

01 guiding document (maximum 20 pages, in both English and Vietnamese) providing instructions on conducting statistical analysis to assess the provision of

public services in the justice sector, focusing on grassroots mediation and legal aid. The guiding document must ensure the following contents:

- Providing general knowledge about judicial statistics operation, including methods of collecting statistical data, statistical reporting systems of the justice sector, a number of specific instructions for statistics in the fields of grassroots mediation and legal aid.
- Guidance on conducting data analysis and assessment on the provision of grassroots mediation and legal aid services through annual statistics.

5. Expected qualifications of consultants:

National consultant – Team Leader:

- Master's degree in law or higher;
- At least 15 years of working experience in law;
- At least 5 years of experience in one of the following sectors: legal aid, grassroots mediation, judicial statistics;
- Excellent writing skills in English and Vietnamese; one writing sample in English to be submitted;

National consultant – Team Member:

- Master's degree in law or higher;
- At least 12 years of working experience in law
- At least 5 years of experience in judicial statistics;
- Good writing skills in English and Vietnamese; one writing sample (preferably in English) to be submitted;

6. Provision of Monitoring and Progress Controls

The 2 consultants will work in close collaboration with each other and under monitoring of the Programme Officer in charge in the UNDP Governance and Participation Team. Monitoring and Progress Control will be followed up by the timeline below:

#	Activities	Timeline/DL
1.	Draft an outline of the guiding document	July 2020
2.	Draft the guiding document	August 2020
3.	Deliver: a presentation on the overview of the training program; and engage with participants at the consultation workshop	September/ October 2020
4.	Revise and finalize the guiding document	November 2020

7. Duration of assignment, duty station and expected places of travel

The duty station for this assignment shall be home-based with travels to Hanoi to attend a half-day consultation workshop. Cost for travels must be included in the financial offer. The consultants are expected to provide services specified in this TOR from June 2020 to November 2020.

8. Review Time Required and Payment Term:

- 1st installment: 20% of contract amount upon receiving and acceptance by UNDP of an outline of the guiding document;
- 2nd installment: 40% of contract amount upon receiving and acceptance by UNDP of the draft guiding document;
- Final installment: 40% of contract amount shall be paid upon satisfactory completion of all deliverables specified in the TORs and accepted by UNDP.

9. **Consultant presence required on duty UNDP premises**

☒ NONE

☐ PARTIAL

☐ INTERMITTENT

☐ FULL-TIME

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.

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 ofUS\$

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 (US\$)	Total
1	Consultancy fee (daily rate)			
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).....			
2.6	VAT** if applicable (in case your company signs the contract)			
	TOTAL			

* Individual Consultants/Contractors who are over 62 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.

** Individual Consultants/Contractors who request their employer to sign a Reimbursable Loan Agreement (RLA) with UNDP for their behalves are reminded to add the Value Added Tax into the total lump sum of the Financial Offer if applicable.

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).