



1. Consultancy Information

| | |
|-----------------------|--|
| Title: | Consultant for Development of Institutional Strategic Plan for the HIV & AIDS Tribunal (HAT) |
| Location : | Nairobi, KENYA |
| Application Deadline: | 05 August 2020 by 11:59 P.M)Kenyan Time GMT +3.00) |
| Type of Contract: | Individual Contract |
| Languages Required: | English |
| Ref: | KEN-IC-2020-043 |
| Duration of Contract: | 30 days (over a period of 3 months) |

2. Organizational Context

The legislative framework for the prevention, management and control of HIV and AIDS in Kenya is anchored within the HIV and AIDS Prevention and Control Act (HAPCA), 2006. Established in 2009 under Section 25 of the aforementioned Act, the HIV and AIDS Tribunal (HAT) of Kenya is the only HIV-specific statutory body in the world with the mandate to adjudicate cases relating to violations of HIV-related human rights arising. It addresses all forms of violations arising from any breach of the provisions of the HIV Prevention and Control Act (HAPCA Act, excluding criminal jurisdiction. In addition to its mandate to adjudicate complaints, the tribunal is also mandated to “perform any other such functions as may be conferred upon it by [HAPCA] or by any other written law being in force.” The creation of this Tribunal and its operationalisation is an innovative local solution to the issue of rights, of people living with, at risk of, and affected by HIV. Since its establishment, the Tribunal has heard and determined cases of people discriminated upon on account of their HIV positive status, breach of confidentiality, unsafe practices and procedures, compulsory testing, among other issues covered under HAPCA.

UNDP through its HIV ,Health and Development Portfolio has supported the HAT and contributed towards its revitalization from 2012 through a number of interventions amongst them; Establishment of the HAT Secretariat; Capacity building of its members ; Development of the HAT Strategic Plan 2013-2017 and; Documentation of a compendium of selected cases delivered by the HAT. It is therefore critical that the HAT is supported to enhance its capacity to enable it competently to adjudicate on HIV-related discrimination cases. Against this background UNDP is supporting the process of the development of next HIV & AIDS Tribunal Strategic Plan.

3. Objective of the Assignment

The overall objective of this consultancy is to develop a five-year Strategic Plan for the HIV & AIDS Tribunal to enable fulfilment of its mandate in an efficient and effective manner.

4. Roles and responsibilities of the Consultant

The scope of work for the Consultant will include but not be limited to:

- a) Review the vision and mission based on the HIV & AIDS Tribunal.
- b) Undertake stakeholder mapping and analysis;
- c) Undertake a review/situation analysis of the HIV & AIDS Tribunal operations to date;
- d) Through a consultative process and application of an appropriate tool of analysis, identify focus areas and develop strategic objectives and key result areas for the same;
- e) Review the institutional capacity, organizational set-up, financial and administrative systems against the institution's mandate and the identified strategic objectives and key result areas; and make recommendations, if any;
- f) Propose a strategy for achieving the strategic objectives and key results;
- g) Develop an outcome-oriented results matrix;
- h) Develop a resources framework for the plan period;
- i) Facilitate a Strategic Development initial workshop with the institution's Members and Staff;
- j) Facilitate at least one stakeholder meeting to validate the draft Strategic Plan;
- k) Finalize the Strategic Plan 2020-2025 and submit to the specific the HIV Tribunal and UNDP-K.

The Consultant will, at all times:

- Carry out the services and perform the tasks with care, skill and in an efficient and professional manner.
- Ensure a high degree of quality in his/her output.
- Be guided by these terms of reference.
- Carry out his/her tasks presenting outputs to the team on/or before agreed deadlines in both soft and hard copy.

Reference shall be made to the following key legal and policy documents (including but not limited to):

- i. The Constitution of Kenya, 2010
- ii. The Judiciary Blueprint – Sustaining Judiciary Transformation
- ii. Kenya Vision 2030
- iii. Third Medium Term Plan (2018– 2022) and the Sector Plans
- iv. Various relevant Acts (e.g. HAPCA, Health Act, Children's Act etc)
- v. The Sustainable Development Goals (SDGs)
- vi. Africa's Agenda 2063
- vii. National Spatial Plan, 2015-2045
- viii. The Medium-Term Expenditure Framework (MTEF) budget
- ix. The Executive Order(s) on Organizational of the National Government

5. Expected results of the Consultancy (Deliverables)

The Consultant shall deliver the following outputs as per timelines to be agreed upon with the HIV Tribunal and UNDP.

- An inception report detailing proposed plan of action, proposed methodology, proposed persons to be consulted and timelines. This shall be accompanied by the proposed outline of the Strategic Plan.
- Preparation of workshops and facilitation of the various consultative workshops as per agreed final schedule of activities.
- Report on the process including stakeholder consultations and workshops.
- A five-year strategic plan including results and resources framework

| | |
|---|---|
| | |
| 6.Payment schedule | |
| <p>Payment will be made on delivery of milestones below: -</p> <ul style="list-style-type: none"> • 20% upon submission of an inception report detailing proposed plan of action, proposed methodology, proposed persons to be consulted and timelines. This shall be accompanied by the proposed outline of the Strategic Plan. • 40% upon preparation and facilitation of consultations and workshops as per the agreed final schedule of activities including a report on the process and draft plan. • 40% on submission of the final Report five-year strategic plan including results and resources frameworks | |
| 7. Competencies | |
| <p>Corporate Competencies</p> <ul style="list-style-type: none"> • Demonstrates integrity by modeling the UN’s values and ethical standards; • Displays cultural gender, religion, race, nationality, and age sensitivity and adaptability; • Treats all people fairly without favoritism; • Demonstrates diplomacy and tact in dealing with sensitive and complex situations. <p>Knowledge, management and Learning</p> <ul style="list-style-type: none"> • Promotes knowledge management in UNDP and a learning environment in the office through mentoring and personal example; • Promote knowledge building and sharing with regards to management and operations, organization of project staff training, synthesis of lessons learnt/best practices and sound contributions to UNDP knowledge networks and communities of practice. <p>Development and Operational Effectiveness</p> <ul style="list-style-type: none"> • Ability to lead strategic planning, results-based management and reporting. • Ability to lead formulation and monitoring of management projects. • Ability to lead business processes and implement new systems. • Good coordination and interpersonal skills. | |
| 8. Timelines and Contract duration | |
| The assignment is expected to be carried out for a period of 30 days, spread over a period of three months. | |
| 9. Institutional Arrangement | |
| <p>On the actual performance of the assignment, the Consultant will report directly to the Chief Executive Officer of the HIV & AIDS Tribunal.</p> <p>Contractually, the Consultant will report to the UNDP-GIG Team Leader. UNDP shall contract and pay the agreed remuneration to the Consultant.</p> | |
| 10. Recruitment Qualifications | |
| Education | <p>The following qualifications will be required of the Consultant:</p> <ul style="list-style-type: none"> • Master’s degree or equivalent in Law, Development, Public Policy, Communications, and/or relevant field required; |
| Experience | <ul style="list-style-type: none"> • At least 10 years of relevant work experience, with strategic planning development for governmental, international or bilateral organizations, with demonstrable experience of working with institutions in the legal sector; |

| | |
|--|---|
| Professional and personal competencies | <ul style="list-style-type: none"> • Experience working on organizational behaviour and organization development; • Excellent skills in facilitation of stakeholder engagements/workshops; • Excellent analytical, research, writing and communication skills; |
| Language Requirements | <ul style="list-style-type: none"> • Excellent command of written and spoken English. |

11. Evaluation Criteria

Only candidates obtaining a minimum (70%) on technical evaluation will be considered for the Financial Evaluation.

| Criteria | Weight | Max. Point |
|---|-------------|-------------------|
| | 100% | 100 points |
| Master's degree or equivalent in Law, Development, Public Policy, Communications, and/or relevant field required; | 20% | 20 |
| At least 10 years of relevant work experience, with strategic planning development for governmental, international or bilateral organizations, with demonstrable experience of working with institutions in the legal sector; | 25% | 25 |
| Experience working on organizational behaviour and organization development; | 25% | 25 |
| Excellent skills in facilitation of stakeholder engagements/workshops; | 20% | 20 |
| Excellent analytical, research, writing and communication skills; | 10% | 10 |
| Total (Maximum obtainable points) | 100% | 100 |

Submission of the Financial Proposal

Applicants are instructed to submit their all-inclusive fee proposal in KSH using the financial proposal template provided (Offerors letter to UNDP)

The financial proposal should be all-inclusive and include a breakdown. The term 'all-inclusive' implies that all costs (professional fees, travel related expenses, communications, utilities, consumables, insurance, etc.) that could possibly be incurred by the Contractor are already factored into the financial proposal.

Financial Evaluation (30% of total evaluation; maximum 30 points).

The following formula will be used to evaluate financial proposal:

$p = y (\mu/z)$, where

p = points for the financial proposal being evaluated

y = maximum number of points for the financial proposal

μ = price of the lowest priced proposal

z = price of the proposal being evaluated

11. Application Process

Interested and qualified candidates should submit their applications which should include the following:

1. Detailed Curriculum Vitae
2. Proposal for implementing the assignment – template provided
3. Offerors letter to UNDP – template provided

Note: The successful applicant will be required to complete a UNDP Personal History Form (P11) form prior to contracting.

Applications should be received through the UNDP e Tendering Portal on or before 05 August 2020 by 11:59 P.M Kenyan Time GMT +3.00)

Firms are not eligible for this consultancy assignment. Open to national individual consultants only.

Incomplete applications will be disqualified automatically.

All applications should be submitted through the UNDP eTendering portal.

- If already registered, please go to <https://etendering.partneragencies.org> and sign in using your username and password, and search for the **event**:

Business Unit: **UNDP1**

Event ID:

- If you do not remember your password, please use the “Forgotten password” link. Do not create a new profile.
- If you have never registered in the system before, please complete a one-time registration process first by visiting <https://etendering.partneragencies.org> and using the below generic credentials:

Username: **event.guest**

Password: **why2change**

Detailed user guide on how to register in the system and submit the proposal can be found at:

<https://www.undp.org/content/undp/en/home/operations/procurement/business/procurement-notice/resources/>

Email submission of applications will not be accepted. Queries about the position can be directed to

undp.kenya.procurement@undp.org