



8 September 2020

INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

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

Country:	Viet Nam
Description of the assignment:	03 National Consultants to review, update and revise legal framework on access to genetic resources and fair and equitable benefit-sharing (ABS)
Period of assignment/services (if applicable):	September 2020 – March 2021 <ul style="list-style-type: none">• National Legal expert (Team Leader: 50 workdays)• National expert on Biodiversity/ABS (Team member 1: 45 workdays)• National expert on Traditional Knowledge (Team member 2: 45 workdays)
Duty Station:	Ha Noi with possible travels to selected provinces
Tender reference:	A-200901

1. Submissions should be sent by email to: quach.thuy.ha@undp.org no later than:

17.00 hrs., Tuesday 22 September 2020 (Hanoi time)

With subject line:

A-200901 – Team Leader ABS Project

Or

A-200901 – Team Member 1 ABS Project

Or

A-200901 – Team Member 2 ABS Project

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 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
- Copy of 1-3 publications/writing samples on relevant subject.
- Letter of Introduction
- Reference contacts of past 4 clients for whom you have rendered preferably the similar service (including name, title, email, telephone number, address...)

b. Financial proposal (with your signature):

- The financial proposal shall specify a total lump sum amount in **Vietnamese dong for National 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:

National expert cum Team Leader

	Consultant's experience/qualification related to the services	Score
1.	Postgraduate degree (PhD) in law on environmental management, nature conservation, natural resources/environmental economics, genetic resources, or related fields	200
2.	At least 15 years of working experience in the areas of legislative in environmental management, nature conservation, natural resources/environmental economics, traditional knowledge or related fields in developing countries	200
3.	Profound experience in legislative and policy development or contribution for biodiversity conservation, natural resources, and environment management, and dealing with the government (ministerial level) and development partners	200

5.	Familiar with the Rio and international conventions particularly those environmental and social safeguard issues and their introduction/application in Vietnam contexts;	100
6.	Outstanding experience in legislative and institutional analysis, policy research, communication and formulation particularly with MONRE, MARD and other ministries for the sake of improved environment, natural resources and biodiversity management;	100
7.	Knowledge and practical experience in ABS, innovations in design of benefit-sharing are of preference	100
8.	Excellent communication skills, including strong ability in written and oral English (at least two reports in writing submitted)	100
Total		1,000

National Expert /Team member 1

	Consultant's experience/qualification related to the services	Score
1.	PhD in biology, biodiversity and natural resource or related fields	200
2.	At least 15 years of working in the areas of biodiversity and natural resource or relevant fields.	200
3.	Profound knowledge and experience in assessment/research of biodiversity, value of genetic resources and associated TK	200
4.	Profound knowledge and experience in the fields of biodiversity and natural resource or relevant fields	200
5.	Experience in Bio-Trade or ABS are of prior preferences;	100
6.	Proven proficiency in written Vietnamese and English (at least two reports in writing submitted)	100
Total		1000

National Expert /Team member 2

	Consultant's experience/qualification related to the services	Score
1.	PhD in biology and nature conservation management, traditional knowledge, or related fields	200
2.	At least 15 years of working experience in the areas of environment and nature conservation management, traditional knowledge or related fields	200

3.	Familiar and/or knowledgeable about international conventions and guiding principles with focuses on environmental and traditional knowledge as well as their interpretation and legalization	200
4.	Profound experience in policy research, advocacy or formulation with extents to “community rights” and/or “intellectual property rights” in the Vietnam context; his/her interests in trade and sustainable development as Vietnam committed via EVFTA, CPTPP are of prior preference	200
5.	Proven strong skills in communication, facilitation, and presentation of community-oriented policy recommendation	100
6.	Proven proficiency in written Vietnamese and English (at least two reports in writing 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 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



TERMS OF REFERENCE

Title	:	National consultants to review, update and revise legal framework on access to genetic resources and fair and equitable benefit-sharing (ABS)
Duty station	:	Ha Noi with possible travels to selected provinces
Project code and name:		Capacity Building for the Ratification and Implementation of the Nagoya Protocol on Access and Benefit Sharing in Viet Nam (ABS Project)
Requirement	:	A consulting team consisting of 01 national consultant/Team leader and 02 national consultant/Team member (maximum of 140 working-days for team)

Three National Consultants:

- National legal expert (**Team Leader**: 50 workdays)
- National expert on Biodiversity/ABS (**Team member 1**: 45 workdays)
- National expert on Traditional Knowledge (**Team member 2**: 45 workdays)

During and timing : September 2020 to March 2021

Reporting : Project Management Unit (PMU) of ABS Project and UNDP in Viet Nam

GENERAL BACKGROUND

The Vietnam Environmental Administration, the Ministry of Natural Resources and Environment is implementing the GEF-UNDP funded Project “Capacity Building for the Ratification and Implementation of the Nagoya Protocol on Access and Benefit Sharing in Viet Nam”. The project’s goal is to contribute to the conservation and sustainable use of globally significant biodiversity in Viet Nam through strengthening national capacities on access and benefit sharing of genetic resources to facilitate the implementation of the Nagoya Protocol on ABS.

The project is designed with four main outcomes, with the aims to develop and implement a national framework for access to genetic resources and benefit sharing (ABS) and to support national capacity building and ABS agreements and private- public partnerships. The project consists of 4 main components including: (i) Strengthening the National Policy, Legal and Institutional Framework on ABS; (ii) Developing administrative measures on ABS; (iii) Increasing awareness and capacity building of all relevant stakeholders on the National ABS Framework; (iv) Demonstrating Private-Public Community Partnerships on ABS.

ASSIGNMENT BACKGROUND / RATIONALE

The Biodiversity Law 2008 has remarked a milestone for Vietnam to putting ABS issues forwards, defined by regulations on management of and access to genetic resources and benefit-sharing from the utilization of such resources (Articles 55-61 and 63) as well as respect of traditional knowledge associated with genetic resources (Article 64). As a national party to CBD, in 2014 Vietnam has ratified the Nagoya Protocol, an

international legal framework to CBD on ABS which was adopted by the 10th CBD Conference of Parties in 2010, covering a wide range of principles and requirements with extents to basic terminological understanding, scope and guidance for nationalizing PLRs on fair and equitable access to genetic resources, access to genetic resources and their associated traditional knowledge, national focal points and authorities, clearing house and information sharing, monitoring and reporting, awareness raising and capacity building, and technological transfer on ABS among others.

Not all the Nagoya Protocol's national obligations complied, but taking this reference, Vietnam has primarily institutionalized those ABS regulations under the Biodiversity Law 2008 and the Pharmacy Law 2016 for their implementation at the Decree 59/2017/ND-CP issued by the Government of Vietnam in May 2017 regulating management of access to genetic resources and benefit-sharing from the utilization of genetic resources, and furthered this compliance by recent adoption of regulatory guidance such as Circular 15/2019/TT-BTNMT regulated by MONRE in September 2019 on organization and operation of Appraisal Boards on permission request for access to genetic resources regarding to research in favor of commercial purposes and commercial product development, or Circular 07/2020/TT-BNNPTNT regulated by MARD in May 2020 for similar issues under the authority of this ministry as indicated by Decree 59.

Though many efforts and progresses on ABS that were actively made by ministries in order to contribute to effective management and sustainable use of biodiversity and genetic resources nationwide, particularly awareness-raising and capacity building for policy makers, but the mismatch and delay in such legal development have challenged the governments and stakeholders (e.g. private sector, local people) to legally appropriate performance with regards to both commercial and non-commercial ABS activities, leaving the country's biodiversity and genetic resources being threatened by over-exploitation, depletion, weak governance and/or inequity in access to genetic property and associated benefits. Added to this, changing contexts in commercialization and transnational trade of biodiversity originated products demand rethinking and adaptive management of ABS along genetic resources related value /commodity chains with adequate respect and compliance to CBD, the Nagoya Protocol, SDGs and relevant FTAs as well as the country's new settings for biodiversity conservation and development (e.g. NBSAP 2021-2030).

Improving and strengthening the Vietnam's ABS regulations would require to substantively address a number of the existing shortcomings and fundamental understandings as follows:

- Lacking systematic and sufficient information/understanding about high-valued genetic resources, their associated traditional knowledge and commodity / value chains and their valuation, as well as good governance of genetic resources as a subject of legislation;
- Loopholes and possible mis-match between the existing ABS regulations of Vietnam and those requirements on the matter that the country is obligated to adequately response to, including the CBD's Nagoya Protocol, the Post-2020 Global Biodiversity Framework and relevant international agreements. And, more important, it needs to determine or recommend how such loopholes should be technically interpreted and legalized into the Vietnam's ABS regulatory frameworks;
- Legal, institutional and technical barriers being existed that prevent relevant stakeholders from ABS implementation and compliance with extents to community rights on traditional knowledge and registration of intellectual property rights or creation, ABS revenue management and benefit-sharing mechanism, FPIC practices, private business engagement and risk management on unsustainable use/trade; and
- Lacking of precedent or best practice on ABS or sufficient demonstrations that could be used as references for ABS policy and law making/improvement, added by limitation in capacity of all key actors on ABS;
- Defining linkages between ABS regulations and emerging requirements or perspectives with regards to responsible trade and social safeguards which Vietnam has recognized and/or committed via EVFTA, CPTPP negotiation and implementation;

In 2019 BCA/VEA have worked in collaboration with an international expert reviewing and identifying gaps in ABS regulations between the Vietnam's Biodiversity Law, Decree 59/2017/ND-CP and the Nagoya Protocol, and providing policy options to revise those legal frameworks. To follow up this assessment, in 2020 it is recommended to have a national legal expert teaming up with that international expert to develop and provide detailed proposals on the purposes of revising the ABS Decree and enable wider stakeholder consultation for that revision, focusing on assessment of advantages, disadvantages, challenges and opportunities for each option, and then advising BCA/VEA the best options to be selected and drafted by concrete regulations for revised ABS decree.

In order to further improve and strengthen national capacity on ABS management and biodiversity conservation and sustainable utilization, the GEF-UNDP funded project "Capacity Building for the Ratification and Implementation of the Nagoya Protocol on Access and Benefit Sharing in Vietnam" will assist the Vietnam Environmental Administration, MONRE with consultancy to carrying out necessary studies and consultation, and as results, providing critical revisions in ABS regulations to Decree 59/2017/ND-CP and Biodiversity Law 2008, ensuring good responses or compliance given by Vietnam to the Nagoya Protocol and relevant commitments.

OBJECTIVES OF THE ASSIGNMENT

This aims at building critical synthesis and analysis on the successes and failures (or short-comings) given to ABS institutionalization and implementation in Vietnam, and based on that, providing specific revisions to strengthening the country's existing ABS legal frameworks, particularly Decree 59/2017/ND-CP and Biodiversity Law 2008, and competence in order to secure the country's full respect and address to the CBD's Nagoya Protocol and other international commitments for biodiversity conservation, development and sustainable use. This assignment will target to achieve three specific objectives:

- (1) To determine critical policy recommendations for improved ABS management that are well developed and consulted and legally specified in the draft revisions of Decree 59/2017/ND-CP and Biodiversity Law 2008 (provisions on ABS), proving the best response/compliance given by Vietnam to the Nagoya Protocol;
- (2) To explore pragmatic understandings of genetic resources related value chain in and from Vietnam to further support the improvement of ABS management;
- (3) To consolidate core understandings about traditional knowledge associated with genetic resources as a legal subject (i.e. sense of ownership), and to propose scopes and approaches to manage that traditional knowledge by which community rights and benefits related to genetic resources are virtually protected and fairly shared respectively;

SCOPE OF WORK AND TASK

4.1 Team Leader

Determining critical policy recommendations for improved ABS management that are well developed and consulted and legally specified in the draft revisions of Decree 59/2017/ND-CP and Biodiversity Law 2008 with best compliance to the Nagoya Protocol.

- Reviewing to define, re-define and/or make clear statements of genetic resources as a legislative subject and their categorization based on international and national laws as well as the actual exposes of this type of biodiversity resources;
- Collaborating with the international expert to develop or specify detailed options/proposals for revising ABS regulations of Decree 59/2017/ND-CP and Biodiversity Law 2008 based on mutually agreed gaps between those legal settings and the Nagoya Protocol and relevant protocols including wider

considerations to environmental and social safeguards and sustainable trade which Vietnam has recently committed at new FTAs (particularly EVFTA and CPTPP);

- Closely working with BCA and the international expert to enable a multi-stakeholder consultation process in order to assess and identify the best options which to be used for revising and improving ABS regulations of Biodiversity Law 2008 and Decree 59/2017/ND-CP;
- Closely working with the international expert and other team members to provide draft provisions of revised Law on Biodiversity and Decree 59 with specific regulations, and assist BCA to finalize it in Vietnamese with good quality based on comments from key agencies;
- Providing a policy brief synthesizing recommendation to improve ABS regulations in the Biodiversity Law and Decree 59/2017/ND-CP; and
- Providing advice and contribution for upgrading and re-designing ABS training materials based on legal works, as required;

4.2. Team Member 1

Exploring pragmatic understanding of genetic resources related value chain in/from Vietnam and providing recommendations to improve ABS implementation and management

- Reviewing the position and relation of access to genetic resources with value chain analysis, and pointing out opportunities and implications for sharing benefits for local communities.;
- Selecting and analyzing the value chains of 3-4 selected genetic resources being accessed, harvested, processed and commercialized domestically and/or internationally by business agencies, and based on these, identifying and assessing how ABS issues have been recognized and responded by involving stakeholders for instance ground management of genetic resources; permission and contracting on access to that genetic resource, including prior informed, consultation and consensus building; benefit-sharing and contribution to livelihoods and biodiversity; and monitoring and reporting.
- Determining barriers and their causals linking to performance failures or shortcomings of such existing ABS regulations;
- Working closely with team leader to provide recommendations for institutional and legal improvement on ABS management (i.e. revising Law on Biodiversity and Decree 59/2017/ND-CP);
- Providing advice and contribution for upgrading and re-designing ABS training materials based on legal works, as required;

4.3 Team Member 2

Providing core understandings about traditional knowledge associated with genetic resources as a legal subject in line with their management requirements to enable and secure relevant rights and benefits for local communities

- Based on the existing/available synthesis and relevant studies, providing clear statements, that as a legal subject, how traditional knowledge associated with genetic resources to be determined, including concepts/definitions, (sense of) ownership in the context of existing legal system of Viet Nam;
- Analyzing and identifying scopes and requirements to manage traditional knowledge associated with genetic resources by which rights and benefits of local communities related to those knowledges are properly respected and addressed;
- Proposing approaches to manage each type of traditional knowledge which its ownership recognized or claimed by different parties (e.g. individuals, kinships, village communities or other groups) and possible mechanisms (or options) to do benefit-sharing in fair and equal manners;
- Working closely team leader to recommend key TK related issues for revised ABS regulations from Law on Biodiversity and Decree 59/2017/ND-CP;
- Providing advice and contribution for upgrading and re-designing ABS training materials based on legal works, as required;

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

The duration and timing of the assignment from **September 2020 to March 2021**.

Duty Stations: Ha Noi and home-based. The travel related costs with the detailed field mission plans will be made and agreed with the PMU and UNDP during the Inception Phase and to be paid separately by PMU based on UN-EU cost norms.

EXPECTED RESULTS/DELIVERABLES

Tentative Schedule of Outputs

	Deliverable	Expected due date	Consultant's deliverables
1.	Inception report & work plan/methodologies (jointly submitted by Team leader and Team member 1 and Team member 2)	within two weeks after signing of contract	Joint submission
2.	01 Draft technical report on revision Law on Biodiversity and Decree 59 (est. 25 pages, excluding annexes) including clear, specific options/proposals for revising ABS provision in revised Law on Biodiversity and Decree 59 submitted by Team leader	30 days	Team Leader/ National legal expert
3.	Draft provisions of revised Law on Biodiversity and Decree 59 with specific regulations submitted by Team leader	10 days	Team Leader/ National legal expert
4.	01 policy recommendation brief (05 pages) submitted by Team leader	10 days	Team Leader/ National legal expert
5.	01 draft findings of study on genetic resources related value chain as identified in inception report submitted by Team member 1	20 days	Team member 1/ Biodiversity/ABS expert
6.	01 draft technical report exploring pragmatic understanding of genetic resources related value chain to improve ABS implementation and management submitted by Team member 1	15 days	Team member 1/ Biodiversity/ABS expert
7.	Final technical report exploring pragmatic understanding of genetic resources related value chain to improve ABS implementation and management submitted by Team member 1	10 days	Team member 1/ Biodiversity/ABS expert
8.	01 draft findings of study on management of traditional knowledge associated with genetic resources as identified in inception report submitted by Team member 2	15 days	Team member 2/ Traditional knowledge expert
9.	01 draft technical report (est.20-25 pages, excluding annexes) Providing core understandings and management of traditional knowledge associated with genetic resources submitted by Team member 2	35 days	Team member 2/ Traditional knowledge expert

10.	Final technical report (est.20-25 pages, excluding annexes) Providing core understandings and management of traditional knowledge associated with genetic resources submitted by Team member 2	10 days	Team member 2/ Traditional knowledge expert
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Note:

- All deliverables are requested to submit in Vietnamese. Their translation in English once final reports are officially accepted.
- The above schedule is tentative and will be finalized in the Inception Report.

MONITORING AND PROGRESS CONTROL

The assignment will be directly supervised by PMU under the overall supervision of PMU and UNDP.

In addition to collaboration with stakeholders, the consultant team will also routinely report to the PMU on progress. The consultants will provide concise information about implemented activities and adjustments to the work plan regularly.

ADMINISTRATIVE SUPPORT AND REFERENCE DOCUMENTS

The consultant team will be provided with the following support from PMU:

- Support the working process with relevant stakeholders during the survey and consultation processes.
- Provision of relevant documents of ABS Project to the assignment.

QUALIFICATIONS AND WORK EXPERIENCE

The selected consultants should meet the below requirements.

Team Leader

- Postgraduate degree (PhD) in law on environmental management, nature conservation, natural resources/environmental economics, genetic resources, or related fields
- At least 15 years of working experience in the areas of legislative in environmental management, nature conservation, natural resources/environmental economics, traditional knowledge or related fields in developing countries;
- Profound experience in legislative and policy development or contribution for biodiversity conservation, natural resources, and environment management, and dealing with the government (ministerial level) and development partners
- Outstanding experience in legislative and institutional analysis, policy research, communication and formulation particularly with MONRE, MARD and other ministries for the sake of improved environment, natural resources and biodiversity management;
- Knowledge and practical experience in ABS, innovations in design of benefit-sharing are of preference
- Proven strong interpersonal skills in leadership, networking, communication, facilitation and policy analysis and reporting;
- Proven proficiency in both spoken and written Vietnamese and English.

Team member 1 – Biodiversity/ABS expert

- PhD in biology, biodiversity and natural resource or related fields;
- At least 15 years of working in the areas of biodiversity and natural resource or relevant fields;
- Experience in Bio-Trade or ABS are of prior preferences;
- Profound knowledge and experience in the fields of biodiversity and natural resource or relevant fields;
- Profound knowledge and experience in assessment/research of biodiversity, value of genetic resources and associated TK;
- Proven proficiency in both spoken and written Vietnamese and English

Team member 2 - Traditional knowledge expert

- PhD in biology and nature conservation management, traditional knowledge, or related fields
- At least 15 years of working experience in the areas of environment and nature conservation management, traditional knowledge or related fields;
- Familiar and/or knowledgeable about international conventions and guiding principles with focuses on environmental and traditional knowledge as well as their interpretation and legalization;
- Profound experience in policy research, advocacy or formulation with extents to “community rights” and/or “intellectual property rights” in the Vietnam context; his/her interests in trade and sustainable development as Vietnam committed via EVFTA, CPTPP are of prior preference;
- Proven strong skills in communication, facilitation, and presentation of community-oriented policy recommendations;
- Proven proficiency in both spoken and written Vietnamese and English

PAYMENT TERMS

Team Leader

- First payment of 20% of the contract value will be paid upon submission of the inception report (Deliverable #1) with technical clearance by PMU and acceptance by UNDP.
- Second payment of 30% of the contract value will be paid upon submission of the Deliverable #2 with technical clearance by PMU and acceptance by UNDP.
- Third payment of 30% of the contract value will be paid upon submission of the Deliverable #3 with technical clearance by PMU and acceptance by UNDP.
- Last payment of 20% of the contract value will be paid upon submission of the Deliverable #4 with technical clearance by PMU and acceptance by UNDP.

Team member 1

- First payment of 20% of the contract value will be paid upon submission of the inception report (Deliverable #1) with technical clearance by PMU and acceptance by UNDP.
- Second payment of 30% of the contract value will be paid upon submission of the Draft Deliverable #5 with technical clearance by PMU and acceptance by UNDP.
- Third payment of 30% of the contract value will be paid upon submission of the Deliverable #6 with technical clearance by PMU and acceptance by UNDP.

- Last payment of 20% of the contract value will be paid upon submission of the Deliverable #7 with technical clearance by PMU and acceptance by UNDP.

Team member 2

- First payment of 20% of the contract value will be paid upon submission of the inception report (Deliverable #1) with technical clearance by PMU and acceptance by UNDP.
- Second payment of 30% of the contract value will be paid upon submission of the Draft Deliverable #8 with technical clearance by PMU and acceptance by UNDP.
- Third payment of 30% of the contract value will be paid upon submission of the Deliverable #9 with technical clearance by PMU and acceptance by UNDP.
- Last payment of 20% of the contract value will be paid upon submission of the Deliverable #10 with technical clearance by PMU and acceptance by UNDP.

CONSULTANT PRESENCE REQUIRED ON DUTY STATION/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 _____

United Nations Development Programme

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 of (VND for National Consultant).

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

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).....			
2.5	VAT** if applicable (in case your company signs the contract)			
	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.

** Individual Consultants/Contractors who request their employer to sign a Reimbursable Loan Agreement (RLA) with UNDP for their behavels 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).