

Terms of Reference

Reference	PN/FJ/090/20
Location	Home Based with missions to the Pacific countries when required
Application deadline	26 October 2020
Title	Parliamentary Procedural Advisor (IC LTA)
Project Name	Fiji Parliament Support Project (FPSP 2), Regional Parliamentary Programme, Pacific Parliamentary Effectiveness Initiative (PPEI 2), Strengthening Legislatures in the Pacific (SLIP)
Type of Contract	Long Term Agreement - Individual Contractor
Post Level	International Consultant
Languages required:	English
Duration of Initial Contract:	200 working days between November 2020 to December 2022 (tentative)

Objectives:

The Parliamentary Advisor – Procedural, upon request, shall undertake the following roles and responsibilities:

- Provide high level technical advice, written and or oral, to national parliaments on good practices in parliamentary procedures, parliamentary functions and capacity strengthening;
- Lead the review and drafting of revised Rules of Procedures of Parliaments (when undertaken); and
- Lead the developing and updating of Parliamentary Handbooks on Parliamentary Procedures (when required).
- Design and conduct consultations and workshops on parliamentary procedural matters.

Background

Pacific Island Countries (PICs) still face significant challenges in achieving meaningful participatory democratic governance that is responsive to the needs of ordinary citizens, including the poor and marginalised, and that promotes sustainable development. The challenges are manifested in political instability, lack of financial and human resources capacity, and weak policy and regulatory frameworks. Participatory decision making is severely limited, with women and young people under-represented in formal political structures across the region.

Although Parliaments can play an instrumental role in addressing the challenges, they themselves suffer various constraints such as weak staff capacity, weak parliamentary procedures, processes including inactive committees, limited access to critical information for law making and oversight and inadequate systems and equipment. The small size of many Pacific Islands legislatures often makes it difficult to sustain full parliamentary service functions, compounded by limited specialist capacity, poor access to legal guidance, training, information and research services, and limited financial resources.

UNDP Parliamentary Development Support

UNDP's Parliamentary Development support to Pacific countries seeks to address the limited capacities in Parliament to discharge their mandate in relation to legislation, oversight and representation, and thereby contribute to promoting good governance in their respective countries. In this regard, UNDP provides support to Parliaments to become more effective and efficient through strengthening the work of their committees related to legislation and oversight, building the capacities of legislators and professionalism of staff, and improving outreach and citizen

engagement. UNDP's support also involves technical advice and drafting to update rules of procedures and standing orders.

To support Pacific Parliaments work specifically related to parliamentary practice and procedures, the UNDP Pacific Office in Fiji is recruiting a *Parliamentary Advisor – Procedural*, to provide technical support to national parliaments in the area of parliamentary procedure, including high level strategic advice to parliamentary leaderships on relevant institutional and constitutional matters, parliamentary functions and capacity strengthening.

Scope of work/Expected Output

In consultation with the Clerks of Pacific Parliaments, and the UNDP Parliamentary Development Team, the *Parliamentary Advisor* will undertake the following duties and responsibilities:

- Provide technical advice to Pacific Parliaments on good practices in parliamentary procedure, functions and capacity strengthening;
- Support the project team in the delivery of activities related to procedural capacity building, in particular strengthening the committee secretariats and other support services to committees;
- Plan and conduct, as appropriate, training and consultation activities for Members and parliamentary staff on procedural and applied parliamentary issues (e.g. relations with parliamentary parties and constituents, poverty reduction and gender issues);
- Provide non-partisan advice to Members, Clerks and Speakers of Pacific Parliaments on issues relating to the passage of legislation and regulations, procedures in the Chamber, committee formation and procedure and parliamentary oversight of government, institutional role of parliament and interaction with other branches of the State, including technical advice on applied constitutional, electoral and parliamentary law issues and legislation affecting Parliament as an institution;
- Review and analyze existing parliamentary rules and procedures, when required develop a report containing findings and specific recommendations taking into consideration the international good practices and recommendations in the field;
- Take the lead role in drafting revised Rules of Procedure and prepare draft bills (if required) to support proposed revisions to the Rules of Procedure;
- Coordinate with relevant standing committees and or parliamentary working groups of MPs and parliamentary staff, that have been established to oversee the process of development/revision of Rules of Procedure;
- When required, develop and update content of parliamentary Handbook on parliamentary procedures.
- Provide advice to Clerks and Speakers supporting Parliament's core functions including on best practice for parliamentary independence; when required, develop a report and prepare draft model legislation based on international best practice.
- Perform any other functions within the ambit of overall purpose and objectives of this assignment.

Institutional Arrangement

- The Advisor will be home based with travels to selected Pacific island countries when required;
- For all travels undertaken through this consultancy, UNDP will purchase air tickets for the Advisor based on the most direct route and cost-effective route as per UNDP Travel Guideline.
- UNDP will also provide Daily Subsistence Allowance (DSA) to the Advisor for the duration of his/her stay at the respective duty station at UN approved DSA rates.
 - In consultation with UNDP, the Advisor will work under the instructions and guidance of the Clerks of the Pacific Parliaments;

- The Advisor will report directly to the UNDP Parliamentary Specialist – Portfolio lead;
- The Advisor will provide to UNDP brief summary reports of activities undertaken for each of the call off.
- All reports and documents relating to the assignment will be submitted to the UNDP Pacific Office based in Fiji

Duration of the Work

Parliament Development Unit will contract the Parliamentary Procedural Advisor Consultant on a Long-Term Arrangement (LTA). It is envisioned that the engagement will be for approximately 200 days over the period from November 2020 to December 2022. The call-off for the LTA will be via issuance of new TOR for each assignment or based on monthly progress activities

Estimated Engagement Timelines		Estimated Engagement Timelines	
Month	No of days of engagement	Month	No of days of engagement
Nov 2020	7	Jan-2022	8
Dec 2020	7	Feb -2022	8
Jan-2021	7	Marc -2022	8
Feb -2021	7	Apr -2022	8
Marc -2021	7	May -2022	8
Apr -2021	7	Jun -2022	8
May -2021	7	Jul -2022	8
Jun -2021	7	Aug -2022	8
Jul -2021	8	Sep -2022	8
Aug -2021	8	Oct-2022	8
Sep -2021	8	Nov -2022	8
Oct-2021	8	Dec-2022	8
Nov -2021	8		
Dec-2021	8	Total	93

Contract Arrangement

The successful individual will sign the UNDP Individual Consultant Long Term Agreement. The engagement will be on an intermittent basis with the stated duration based on the required services. UNDP will issue separate terms of reference and purchase order for each specific assignment as a call-off from this IC LTA. The TOR will outline the expected outputs, and the number of days to be engaged.

Duty Station

- The IC will be home-based and will be required to travel to project countries in the Pacific region
- The IC maybe also be required to travel outside of the Pacific region from time to time.
- When in-country, the IC will be required to be present at the UNDP office where a space will be allocated

Competencies:

- Good representational and liaison skills;
- Excellent interpersonal, intercultural, communication and networking with a demonstrated ability to build and maintain professional relationships;
- Ability to meet deadlines and;
- Excellent English writing and communication skills.

Requirement for Qualifications & Experience

- University / master's degree in law, Public Administration or related field.

Experience:

- At least 10 years of relevant professional experience related to parliamentary development;
- At least 7 years of experience in legislative drafting;
- Minimum of 7 years' experience as a Member of Parliament or in procedural positions as non-political staff to elected national or state/provincial legislatures;
- Proven experience of in-depth technical knowledge and skills in contemporary parliamentary capacity building;
- Experience of advisory work on parliamentary development in transitional or emerging democracies is a strong advantage;
- Proven technical experience in parliamentary processes, including experience in the field of lawmaking processes, legal analysis and research and functions of the parliament;
- Familiarity with the concept of parliament as a conflict resolution forum an advantage;
- Experience in working with government institutions, international organizations (successful experience in working with UN agencies is an asset).

Language requirements

- Fluency of English language is required;

Price Proposal and Schedule of Payments

Consultant must send a financial proposal based on **Daily Fee**. Consultant shall quote an all-inclusive Daily Fee for the contract period. The term "all-inclusive" implies that all costs (professional fees, communications, consumables, etc.) that could be incurred by the IC in completing the assignment are already factored into the daily fee submitted in the proposal. If applicable, travel or daily allowance cost (if any work is to be done outside the IC's duty station) should be identified separately. Payments shall be done on a monthly basis based on actual days worked, upon verification of completion of deliverables and approval by the IC's supervisor of a Time Sheet indicating the days worked in the period.

In general, UNDP shall not accept travel costs exceeding those of an economy class ticket. Should the IC wish to travel on a higher class he/she should do so using their own resources

Payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and the Individual Consultant, prior to travel and will be reimbursed.

Evaluation Method and Criteria

Individual consultants will be evaluated based on the following methodology:

Cumulative analysis

The award of the contract shall be made to the individual consultant whose offer has been evaluated and determined as a) responsive/compliant/acceptable; and b) having received the highest score out of set of weighted technical criteria (70%). and financial criteria (30%). Financial score shall be computed as a ratio of the proposal being evaluated and the lowest priced proposal received by UNDP for the assignment.

Only candidates obtaining a minimum of 49 points (70% of the total technical points) would be considered for the Financial Evaluation

Technical Evaluation (70%)	
University / master's degree in law, Public Administration or related field.	5%
At least 7 years of experience in legislative drafting;	10%
Minimum of 7 years' experience as a Member of Parliament or in procedural position as non-political staff to elected national or state/provincial legislatures;	10%
Proven technical experience in parliamentary processes, including experience in the field of lawmaking processes, legal analysis and research and functions of the parliament;	15%
Proven experience of in-depth technical knowledge and skills in contemporary parliamentary capacity building;	10%
Experience of advisory work on parliamentary development in transitional or emerging democracies;	10%
Experience working with government institutions, international organizations (experience in working with UN agencies is an asset).	5%
Good representational and liaison skills; Ability to meet deadlines and excellent English writing and communication skills	5%
Financial evaluation (30%)	30%

Candidates may be called for an interview, which will be used to confirm and/or adjust the technical scores awarded based on documentation submitted.

Documentation required

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

- **Letter of Confirmation of Interest and Availability** using the template provided in Annex II.
- **Cover letter** which includes a brief description of why the individual considers him/herself as the most suitable for the assignment
- **Proposed Methodology** which includes a brief description methodology (this should not be more than 3 pages)
- **CV** indicating all experience from similar projects, as well as the contact details (email and telephone number) of the bidder and at least three (3) professional references.
- **Financial proposal**, as per template provided in Annex II

Note: Successful individual will be required to provide proof of medical insurance coverage before commencement of contract for the duration of the assignment.

Incomplete, joint proposals and proposals sent to the wrong mailing address will not be accepted and only candidates for whom there is further interest will be contacted.

Individuals interested in this consultancy should apply and will be reviewed based on their own individual capacity.

All required templates are available on the UNDP Procurement website: www.pacific.undp.org

Annexes

- Annex I– Individual IC General Terms and Conditions
- Annex II – Offeror's Letter to UNDP Confirming Interest and Availability for the Individual IC, including Financial Proposal Template
- Annex III – UNDP eTendering User Guide for Bidders

Proposal Submission

- All applications must be clearly marked with the title of the consultancy (**Parliamentary Procedural Advisor (IC LTA)**) with reference (**PN/FJ/090/20**) and submitted via e-tendering under Event ID 0000007473.
- For further information concerning this Terms of Reference, please contact UNDP Pacific Office by email: procurement.fj@undp.org.

Women applicants are encouraged to apply.