



GENERAL INFORMATION

Title: Program Specialist for Promoting Fair Business in ASEAN (FairBiz)

Project Name: Promoting Fair Business in ASEAN (FairBiz)

Reports to: Business and Human Rights Specialist

Duty Station: Jakarta, Indonesia

Expected Places of Travel (if applicable): N/A

Duration of Assignment: 72 working days within 6 months

REQUIRED DOCUMENT FROM HIRING UNIT

X	TERMS OF REFERENCE
4	CONFIRMATION OF CATEGORY OF LOCAL CONSULTANT, please select: (1) Junior Consultant (2) Support Consultant (3) Support Specialist (4) Senior Specialist (5) Expert/ Advisor CATEGORY OF INTERNATIONAL CONSULTANT, please select: (6) Junior Specialist (7) Specialist (8) Senior Specialist
X	APPROVED e-requisition

REQUIRED DOCUMENTATION FROM CONSULTANT

X	P11 / CV with three referees
X	Copy of education certificate
X	Completed financial proposal
X	Completed technical proposal

Need for presence of IC consultant in office:

- ☐ partial
- ☐ intermittent (explain)
- ☒ full time/office based (*Fairbizz program is reaching to the last year of program implementation in 2021. Program implementation is expected to be more intensive as to finalize all planned activities. Hence, having the consultant full-time at the office will help smoothen the project management, including on administration and procurement management, and day to day activities on the program deliverables that involved coordination with project partners.*)

Provision of Support Services:

Office space: ☒ Yes ☐ No

Equipment (laptop etc): ☐ Yes ☒ No

Secretarial Services ☐ Yes ☒ No

If yes has been checked, indicate here who will be responsible for providing the support services:

I. BACKGROUND

Project Description

"Promoting a Fair Business Environment in ASEAN" is a three-year project aims to increase integrity standards and transparency in both public and private sectors by: strengthening capacities of procurement authorities and non-state stakeholders in terms of modern and efficient procurement systems; encouraging sustainable and responsible business practices, as well as strengthening the rule of law and anti-corruption.

The FairBiz project is contributing to increase transparency of business opportunities, reducing the cost of doing business in the region and preparing women, Small-Medium Enterprises (SMEs) and young people with knowledge and tools to allow them to promote a fair and transparent business environment in their markets and region.

Covid-19 Pandemic

The Covid-19 pandemic, based on other crises, could lead to the increase of corruption, especially in the fields of health and public procurement; other increased risks may include bribery from both public authorities or companies to try to bypass safety regulations and access to services. Companies might face increased challenges in terms of survival on the market.

Albeit the challenges, the pandemic can be opening up to a "new possible": The 2020 Edelman Trust Barometer Spring Update: Trust and the Covid-19 Pandemic reveals a remarkable shift in the landscape of trust since January 2020. The Spring Update shows that amid the Covid-19 pandemic, government trust surged 11 points to an all-time high of 65 percent, making it the most trusted institution for the first time in our 20 years of study shows that governments can actually gain back trust from their citizens if they operate in a transparent manner. Growing demands from civil society and business community for cutting red tape in procurement, streamlining practices and increasing transparency can benefit from the current momentum.

In the world of Covid-19, companies and investors are acknowledging that adopting Environmental, Social and Corporate Governance (ESG) standards can not only contribute to build a better world, but also increase their own business resilience. This may turn into more companies eager to work on

improving their own corporate governance systems, expanding their knowledge and compliance with anti-corruption and business integrity standards, gender and diversity inclusion guidelines.

FairBiz Year 3 Project in Indonesia

In year 3 (May 2020 - September 2021), the FairBiz project in Indonesia continues its implementation strategy of promoting a multi-stakeholder dialogue amongst government agencies, private sector actors and other stakeholders such as academia, civil society, and youth and women's networks **to increase public procurement's integrity and fairness through improved system, extended market and increased capacity for SMEs suppliers, particularly women.**

Competitive, transparent and accountable public procurement is a crucial element in international trade. The Government Procurement Agreement (GPA), as part of agreements made within the purview of the World Trade Organization (WTO), opens up the doors for foreign businesses to enter the domestic market of government procurement (goods/services). The Government of Indonesia decides to harmonize its national laws regulating government procurement mechanism or procedure with the international standard (GPA). Therefore, the role of the National Public Procurement Agency (*Lembaga Kebijakan Pengadaan Barang dan Jasa Pemerintah/LKPP*) in international trade agreement is important. Currently, LKPP acts as a leader in relation to Government Procurement in the process of negotiating the Indonesia - European Union Comprehensive Economic Partnership Agreement (I-EU CEPA). On the other side, Indonesia received requests from other countries to open access to government procurement, particularly at construction sector. However, the survey conducted by LKPP in 2017 found that the readiness of domestic providers to utilize free trade agreements for government procurement was still low.

In addition, LKPP also deals with transparent and accountability issues of public procurement in the country.

LKPP has been developing an electronic procurement to simplify the procurement process, increase transparency and open Indonesia's market to international competitive bidding.¹ The e-procurement consists of e-tendering namely *Sistem Pengadaan Secara Elektronik* (SPSE) and e-purchasing through e-catalog which suppliers can register, be verified and participate in the public procurement.

Public procurement ranked the second in Indonesia's corruption cases and becomes one of the country's priorities on corruption prevention. UNDP through the FairBiz Project continues its supports to LKPP and provides capacity building for suppliers to improve transparency and accountability issues within public procurement in Indonesia.

II. SCOPE OF WORK, ACTIVITIES, AND DELIVERABLES

Scope of Work

Within the aforementioned background, UNDP through the FairBiz year 3 project implementation continues providing support to LKPP that includes i) study on the Determination of the Threshold Scheme and the List of Goods/Services for Public Procurement Goods and Service; ii) development of Vendor Directory); and iii) study for the Revision of LKPP's Regulation No. 10 of 2018 concerning Guidelines for Implementing International Tenders/Selection.

Within the year 3 implementation, the module on public procurement for supplier developed in year 2 will be utilized to increase capacity of SMEs particularly women and young entrepreneurs, in partnership with local government (Provincial Governments of Jakarta or West Java).

Under the guidance and direct supervision of the Business and Human Rights Specialist of DGPRU, the consultant is responsible for providing technical assistance for implementing the Promoting Fair Business in ASEAN (FairBiz) Year 3 Project and project management, including managing and implementing activities under the Annual Work Plan, managing project budget, establishing partnerships and managing coordination among key stakeholders, supporting formulation of guidelines, Standards Operating Procedures (SOPs) and templates for organisations involved in implementing the program.

Expected Outputs and deliverables

The specific outputs/deliverables expected from the Consultant for Project Implementation and Closure are the following:

Deliverables/ Outputs	Estimated number of working days	Completion deadline	Review and Approvals Required <i>(Indicate designation of person who will review output and confirm acceptance)</i>
Deliverable 1: - Massive Open Online Course (MOOC) finalized - FairBiz Quarterly Report MOOC pre-trial and launch - Executive Summary on MOOC dissemination and sustainability	12 Working Days	April 2021	Business and Human Rights Specialist
Deliverable 2: - Study for the Revision of LKPP's Regulation No. 10 of 2018 concerning Guidelines for Implementing International Tenders/Selection concluded and disseminated (FGDs) - Executive Summary on the study results and dissemination	12 Working Days	May 2021	Business and Human Rights Specialist
Deliverable 3: - FairBiz Quarterly Report	12 Working Days	June 2021	Business and Human Rights Specialist
Deliverable 4: - Vendor Directory finalized and disseminated (pre-trial and launch) - Executive Summary on Vendor Directory, dissemination, and sustainability	12 Working Days	July 2021	Business and Human Rights Specialist
Deliverable 5: - Trainings on Public Procurement in partnership with Alliance for Integrity, to increase capacity of SMEs particularly women and young entrepreneurs, in partnership with local government (Provincial Governments of Jakarta or West Java) - Executive Summary on Trainings on Public Procurement for SMEs	12 Working Days	August 2021	Business and Human Rights Specialist
Deliverable 6: - FairBiz Project Closure Report	12 Working Days	September 2021	Business and Human Rights Specialist

III. **WORKING ARRANGEMENTS**

Institutional Arrangement

The IC will be reporting to the Team Leader of Democratic Governance and Poverty Reduction Unit (DGPRU) in seeking approval and acceptance of the above-mentioned outputs. The IC is expected to be in regular contact with the Business and Human Rights Specialist and update and report on his/her progress on a bi-weekly basis.

Duration of the Work

Expected duration of work is from April – September 2021.

Duty Station

The IC will be based at Jakarta.

Travel Plan

Travel will be arranged by Hiring Unit which refers to UNDP rules and regulations if Consultant is requested to travel outside Jakarta and there may be unforeseen travel that will come up during the execution of the contract which will be agreed on ad-hoc basis.

IV. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

Academic Qualifications:

Bachelor or master's degree in law, political science, social science, development studies or other relevant fields

Minimum Experience Requirement:

- Minimum 7 years of relevant experience with a Bachelor of 5 years with a Master, working in anti-corruption, responsible business, public procurement, good governance, law reform, policy analysis, and/or other relevant developmental issues;
- Experience in program management including designing project activities, monitoring and evaluation, establishing and maintaining partnerships with government, private sectors, business associations and civil societies;
- Experience in conducting a research/study/analysis on anti-corruption, responsible business, public procurement, good governance, law reform, policy analysis, and/or other relevant developmental issues;
- Experience in preparing project report, collateral materials and assisting the administrative activities;

Language Requirements:

Proficient in English and Bahasa Indonesia, spoken and written, as demonstrated in the CV.

Competencies and Special Skills Requirement:

- Excellent communication skills and conflict resolution competency to mediate inter-group dynamics and conflict of interest
- Ability to work under pressure and multi-tasking within multi-cultural background
- Strong analytical skills
- Ability to multi-tasking and pay attention to details
- Good team player and proactive

V. EVALUATION METHOD AND CRITERIA

Cumulative analysis

When using this weighted scoring method, the award of the contract should 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 a pre-determined set of weighted technical and financial criteria specific to the solicitation.

** Technical Criteria weight; 70*

** Financial Criteria weight; 30*

Only candidates obtaining a minimum of 70 point would be considered for the Financial Evaluation

Criteria	Weight	Maximum Point
<i>Technical</i>	<i>70%</i>	<i>100</i>
Criteria A: Qualification Requirements as per TOR:		60
1. Bachelor or master's degree in law, political science, social science, development studies or other relevant fields		10
2. Minimum 7 years of relevant experience with a Bachelor of 5 years with a Master, working in anti-corruption, responsible business, public procurement, good governance, law reform, policy analysis, and/or other relevant developmental issues;		10
		15

3. Excellent experience in program management including designing project activities, monitoring and evaluation, establishing and maintaining partnerships with government, private sectors, business associations and civil societies;		10	
4. Experience in conducting a research/study/analysis on anti-corruption, responsible business, public procurement, good governance, law reform, policy analysis, and/or other relevant developmental issues;		15	
5. Experience in preparing project report, collateral materials and assisting the administrative activities;			
<i>Criteria B: Brief Description of Approach to Assignment:</i>		20	
1. Explain why you are the most suitable for the work		10	
2. Provide a brief methodology on how you will approach and conduct the work		10	
<i>Criteria C: Further Assessment by Interview</i>		20	