



08 June 2021

INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

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

Country:	Viet Nam
Description of the assignment:	01 National Consultants to provide support for human rights and gender related projects of UNDP Viet Nam's Governance and Participation Unit
Period of assignment/services (if applicable):	June 2021 – Dec 2021
Duty Station:	Vietnam
Tender reference:	T210603

1. Submissions should be sent by **email** to: luu.thi.trang@undp.org no later than:
12.00 hrs., noon 15 June 2021 (Hanoi time)

With subject line:

T210603 – A National Consultants to provide support for human rights and gender related projects of UNDP Viet Nam's Governance and Participation Unit

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 and other related certificates (if any)
- Signed Letter to UNDP Confirming Interest and Availability
- English proficiency certificate to be provided

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.

4. Evaluation

The technical component will be evaluated using the following criteria:

A National Consultant

No	Criteria	Score
1	Post-graduate degree in human rights and/or gender studies	250
2	Relevant experience on programme and development work on human rights, gender equality, and/or responsible business practice	250
3	Experience working with NGOs/CSOs, and/or research institutes both is required. Experience working with businesses is desirable.	200
4	Sound knowledge and experience on international human rights mechanisms and gender studies	200
5	Vietnamese national; fluency in English, both written and oral, proven by English proficiency certificate	100
	Total	1,000

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.

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 to the payment.

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



TERMS OF REFERENCE

Human Rights and Gender Consultant to provide support for human rights and gender related projects of UNDP Viet Nam's Governance and Participation Unit

Duty Station: Hanoi – Vietnam – Working onsite on daily basis in GOUNH, with occasional travels to place of events if the work requires

1/ Background

UNDP Viet Nam continues to provide critical support in the areas of democratic governance and participation; inclusive and equitable growth; sustainable development; climate change and disaster risk reduction. Efforts to support Viet Nam's development agenda are firmly grounded in the context of the One UN Initiative and the One Plan III, the consolidated programme of work of all UN agencies working in Viet Nam.

During the past decade, Viet Nam attained middle-income country status as a result of impressive economic growth. However, progress in social development, including education and health, has been less rapid contributing to slower growth in human development, indicating remaining governance system challenges to keep pace with economic development. UNDP Viet Nam's governance work focuses on three main pillars or portfolios: human rights, rule of law and access to justice; citizen participation; and peace and security.

With these key portfolios, UNDP supports national partners to address security and justice through a human rights-based approach, to nurture public participation and trust, and to expand access to justice, especially for vulnerable and marginalized groups, including women, youth, persons with disabilities, and displaced communities. Our vision is that by 2026, Viet Nam will have a more just, safe and inclusive society as a result of improved governance, more responsive institutions, strengthened rule of law and the protection of and respect for human rights, gender equality and freedom from all forms of violence and discrimination in line with international standards.

Rule of Law, Access to Justice and Human Rights is one of the largest and fast-growing portfolios of the Governance and Participation Unit, with eight priorities areas. Among them, there are human rights and gender equality programme areas, including and especially women's empowerment and combating gender-based violence.

Human Rights Implementation and Reporting Mechanisms

The third review of human rights situation in Viet Nam under the Universal Periodic Review (UPR) at the UN Human Rights Council took place in January 2019. The UPR process uniquely provides civil society actors with a formal role and a broad window of participation at the national and international levels, both in preparation for the review and in monitoring implementation of recommendations. Over the last few years, UNDP has been extensively engaged with the Government of Viet Nam (Ministry of Foreign Affairs, Ministry of Justice, Ministry of Public Security), civil society organizations and international organizations as

well as diplomatic missions to prepare for human rights reviews. In Viet Nam, the engagement of civil society actors in the preparation of the review has increased significantly from no submission by domestic groups for the first cycle (2009), 13 submissions by domestic groups in the second cycle (2014), to over 50 submissions received for the third cycle (2019). This increased engagement helped strengthen recommendations by member states by providing them with the necessary background and data and effective solutions on a broad range of human rights issues, and from a diverse group of organizations. Further reporting processes supported by UNDP include under the ICCPR, CAT, CRPD and ICESCR.

Gender Equality

Gender equality and empowerment of women and girls are essential to the achievement of the SDGs overall, as both a stand-alone objective and as part of a broader solution and cross-cutting approach to secure sustainable development in Viet Nam. UNDP works closely with national partners to mainstream gender in all our programming. Notably, UNDP works with Vietnamese counterparts to enhance the role of women's in the country's expanding peacekeeping efforts as well as better women's representative in politics. To achieve women's legal empowerment, a number of interventions are being underway, including improving legal framework for ensuring equal access to justice for women, providing evidence on gender-differentiate legal needs, and combating against gender-based violence and discrimination.

2/ Purposes and Objectives

Under the supervision of the Head of the Governance and Participation Unit and the Legal and Policy Analyst, the Human Rights and Gender Consultant is responsible for providing technical support for projects and programmes relating to human rights and gender equality and women's empowerment of the Governance and Participation Unit.

3/ Activities, Tasks, Deliverables and Timeframe

Activities and Task:

3.1. Providing technical support for human rights related projects of UNDP Viet Nam's Governance and Participation (60%)

- Support the preparations and engagements of UNDP Viet Nam, UN Agencies, civil society and development partners at the three events organised by UNDP Viet Nam and the Ministry of Foreign Affairs, including: The International Workshop on Methodology and Good Practices of Drafting UPR Mid-Term Voluntary Report; the Consultation Workshop on Viet Nam's Third Cycle UPR Mid-Term Voluntary Report; Commemoration of the International Human Rights Day and launching of Viet Nam's Third Cycle UPR voluntary Mid-Term Report.
- Provide technical assistance for and support the implementation of the projects on the Convention Against Torture, under the agreement signed between UNDP Viet Nam and the Ministry of Public Security. The projects include: the development of a suggested National Action or Master Plan to implement CAT recommendations; and Increasing capacity of MPS and key agencies on implementation of CAT through a series of training on Nelson Mandela Rules and Tokyo Rules.
- Provide technical assistance for and support the implementation of the projects to be implemented with civil society partners under the EU funded project on the right to a fair trial.

- Provide support to set up the activities under the Norway funded projects on strengthening the implementation of human rights recommendations made for Viet Nam, with three key area of work: on UPR, on CAT and on ICECSR.
- Provide support for business and human rights project, including communications of project activities as well as the development and launch of the national baseline assessment on responsible business and human rights.

3.1. Providing technical support for gender related projects of UNDP Viet Nam's Governance and Participation (40%)

- Review and provide substantial support in the development of knowledge products (research, training materials, videos, policies briefs) related to gender equality and women's empowerment.
- Provide operational support in the implementation of policies and procedures related to the implementation of the new project on gender equality and women's empowerment, including finalization of agreements with partners and contractors.

Expected outputs

Outputs	Description	Expected Results	Due Date ¹
Output 1	UPR project	i. Talking points for UNDP's representative at the International Workshop on Methodology and Good Practices of Drafting UPR Mid-Term Voluntary Report ii. Talking points and PPT presentations for UNDP's representative at the Consultation Workshop on Viet Nam's Third Cycle UPR Mid-Term Voluntary Report iii. Talking points and presentation for UNDP's representative for the Commemoration of the International Human Rights Day and launching of Viet Nam's Third Cycle UPR voluntary Mid-Term Report	25 June 2021 30 September 2021 31 December 2021
Output 2	CAT project	i. Concept notes, terms of reference of international and national consultants for the project on the development of a suggested National Action or Master Plan to implement CAT recommendations ii. Concept note for the project on increasing capacity of MPS and key agencies on implementation of CAT through a series of training on Tokyo Rules	30 October 2021 30 November 2021
Output 3	Fair trial project	i. Draft a concept note for the project on increasing capacity of MPS and key agencies on implementation of CAT through a series of training on Nelson Mandela Rules	30 August 2021

¹ Estimated as due date might vary depending on projects' implementation and planning)

Output 4	LGBTI+ project	i. Written comments for the research products of the project on LGBTI+	30 October 2021
Output 5	Norway HR project (phase 3)	i. Letter of agreement (LOA) including descriptions of activities with identified partners under the Norway funded projects on strengthening the implementation of human rights recommendations made for Viet Nam on CAT ii. Letter of agreement (LOA) including descriptions of activities with identified partners under the Norway funded projects on strengthening the implementation of human rights recommendations made for Viet Nam on ICESCR	30 November 2021 30 October 2021
Output 6	Gender related projects	i. Assist in mapping out international practices and UNDP experiences across the world in the area of women's leadership in political bodies to inform the development of targeted knowledge products for Viet Nam. ii. Finalize two ToRs and relevant requested documents for procurement process of international and national experts working on women in peace keeping and women's representation in national and subnational political bodies iii. Organize and coordinate two high-level 1-day consultation workshops in Ha Noi to obtain feedback on the gender barriers assessment in Viet Nam and the study on gender quotas at subnational level.	20 July 2021 30 September 2021 31 December 2021
Output 7	Responsible Business and Human Rights project	i. Provide comments and feedback on the draft National Baseline Assessment on Responsible Business Practice in Viet Nam. ii. Support coordinating the training on responsible business and launch workshop on the National Baseline Assessment in Ha Noi. iii. Work with communication team, including preparing key messages, to communicate the project activities to public audience.	15 November 2021 15 December 2021 31 December 2021

4/ Management

The contracted consultant will report to the Legal and Policy Analyst and the Head of the Governance and Participation Unit, and work closely with Programme Analysts of relevant

projects, including Responsible Business Officer, as well as Rule of Law and Human Rights Analyst.

5/ Qualifications and experience required:

- Qualification of post-graduate degree in human rights and/or gender studies
- Relevant experience on programme and development work preferably in human rights, gender equality, and responsible business practice
- Proven aspiration for human rights and gender equality through academic, demonstrated commitment to UNDP's mission, vision and values
- Sound knowledge and experience on international human rights mechanisms and gender studies
- Experience working with NGOs, and research institutes both in Viet Nam and overseas is an asset
- Fluency in English and Vietnamese is essential, both written and oral

6/ Contract duration:

The assignment spreads over six months, starting from **mid-June to 31 December 2021**.

The assignment will be reviewed and renewed upon (i) requirements; (ii) fund availability and (iii) satisfactorily completion of the first six-month period as well as agreements with the contracted consultant.

7/ Payment Terms:

The payments will be made upon UNDP Viet Nam's satisfaction with expected deliverables set forth in Section 3 above and following the tentative schedule below:

Expected Outputs	Payment Amount	Tentative Payment Schedule
Upon UNDP's satisfaction with Outputs delivery due date by 20 July 2021	20%	5 August 2021
Upon UNDP's satisfaction with Outputs delivery due date by 30 September 2021	30%	5 October 2021
Upon UNDP's satisfaction with Outputs delivery due date by 30 November 2021	30%	5 December 2021
Upon UNDP's satisfaction with Outputs delivery due date by 31 December 2021	20%	5 January 2022

8/ Evaluation Criteria:

No	Criteria	Score
1	Post-graduate degree in human rights and/or gender studies	250
2	Relevant experience on programme and development work on human rights, gender equality, and/or responsible business practice	250

3	Experience working with NGOs/CSOs, and/or research institutes both is required. Experience working with businesses is desirable.	200
4	Sound knowledge and experience on international human rights mechanisms and gender studies	200
5	Vietnamese national; fluency in English, both written and oral, proven by English proficiency certificate	100
	Total	1,000

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 of (VND for National Consultant and USD for International 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 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).