



United Nations Development Programme (UNDP) in Georgia

Project: “Mediation and Arbitration for Resolving Disputes”

Call for Proposals

CAPACITY BUILDING OF MEDIATOR’S TRAINING PROVIDERS

INSTRUCTIONS

1. BACKGROUND

The Law on Mediation (the Law) was adopted by Parliament of Georgia in September 2019. The Law regulates in-court mediation and introduces general rules for the out-of-court mediation, sets the statutory framework for the application of code of ethics and minimum standards for mediators' qualification. With the support of the EU and UNDP, High Council of Justice (HCOJ) has adopted two important documents necessary for effective implementation of the law, the Court Mediation Programme and Rule for Mediators' Remuneration. In accordance with the law and respective by-laws HCOJ is responsible for establishing mediation centers in city/regional courts and courts of appeals throughout the country. To make court mediation accessible in regions of Georgia, professionals from Batumi, Kutaisi, Zugdidi, Bolnisi, Akhaltsikhe and Kakheti region have been trained in mediation with the support from EU and UNDP. These regions/cities were identified by HCOJ as locations of courts where mediation centers will be gradually introduced. The remaining city/regional mediation centers will be launched subsequently. However, trained and certified mediators are needed for these regional centers to operate.

Mediators Association of Georgia (MAG), a legal entity of public law, sets standards for mediators' qualification and certification. MAG's three-step certification system involves the successful completion of mediators training, the real-time skills assessment through a simulation and an observation of the assigned mediation process. The second and the third steps of the certification system are administered and run by MAG, whereas for the first step – the delivery of training, MAG grants accreditation to training providers/centers. Requirements that training providers need to comply with to obtain the accreditation are set by the Mediators Certification Programme (the Programme). Training needs to be designed in accordance with the Programme. For the purposes of the setting up court mediation training centers, the initial mediator's training can be delivered by MAG only when no training institution is available to render these services.

Until 2020 mediation trainings have been provided by various institutions in different formats, most of them with the support of donor organizations. The Law has changed the teaching landscape by regulating mediators' profession. For the time being, there is no accredited mediator's training. In these circumstances, it is of utmost importance to encourage the operation of independent training providers to ensure the proper balance between the regulatory function of MAG and possible need to train mediators through high standard trainings.

In scope of the EU-UNDP joint project “Mediation and Arbitration for Resolving Disputes” UNDP continues promoting the use of mediation and arbitration. To achieve expected outcomes, the initiative intends to sustain, support and build key institutions through strengthening their capacity.

For better access to mediation UNDP will support the establishment of in-court mediation centers in regions through building capacities of professionals. In this process, training institutions are seen as potential key partners for HCOJ and MAG to meet the increased demand and train future mediators for the regions. To address this need, UNDP is announcing a call for proposals for training providing organizations to fund feasible and most successful projects for ensuring the effective implementation of the Law pertaining to mediators’ education. In particular, the grant aims to focus on the capacity building of these institutions to successfully carry out accredited trainings, through acquiring the institutional experience and resources for the future sustainable operation as mediation training providers.

2. OBJECTIVE

The primary objective of the call is to support effective implementation of the Law through contribution towards the establishment of in-court mediation centers in regions of Georgia by creating institutional capacity of training centers that will train future mediators. This will further contribute to institutionalization of mediation in Georgia.

3. SCOPE

To be eligible for this grant, the applicant needs to file an accreditation request with MAG prior to the deadline of this application, hence this grant activities will focus on the necessary actions following the receipt of the accreditation and with the assumption that the accreditation is granted.

To address challenges explained above and achieve the objectives of this call the applicants will design their interventions around two main tasks:

- 1. Capacity building of mediation training providers**
- 2. Piloting the accredited mediation training in the selected region(s)**

Task 1. Capacity building of mediation training providers

The applicants need to propose interventions aimed at capacity building. The proposals should focus on institution’s capacity to deliver mediators training effectively. While the applicants are free to suggest any interventions as deemed necessary, provided that they are reasonably justified, this component may address the need of elaboration of detailed training programme elements following the receipt of MAG’s accreditation, as well as other needs that the organization might have to successfully administer and run mediator’s training courses in scope of the grant and in future.

Task 2. Piloting the accredited mediation training in the selected region(s)

To acquire the hands-on experience in administration and delivery of mediation training, the successful applicants will have to deliver the full mediator’s training pursuant to obtained MAG accreditation. The training will target the future mediators in the selected regions with the aim of contributing to the launch of regional court mediation centers. While the applicants can note the preferred target location of training in their application, UNDP reserves the right to assign the specific location upon completion of the selection process.

The pilot training will be conducted for the participants that will potentially be suitable for practicing mediation in the following areas: Poti, Zestafoni, Terjola, Tetritskaro, Sachkhere and/or Ambrolauri. The pilot training will envisage one group consisting of 10-12 participants from one or two of the target areas. Proposals should provide sound methodology of participants selection and training delivery (including attraction of participants, criteria for selection, delivery methodologies, assessment, learning measurement criteria and methodology, etc.) that will ensure quality of the training. The training will be delivered in person (unless otherwise restricted by COVID-19 related regulations). While not mandatory, it is advised for the applicants to elaborate an alternative strategy to ensure the conduct of training in case of possible COVID-19 regulations banning physical training. Each organization can be awarded with only one grant to pilot one training.

One of the assessment criteria is whether the applicant's training module submitted for MAG's accreditation and offered to be piloted in scope of this grant exceeds the minimum requirements set forth by the MAG's Programme. It is expected that the applicants will elaborate in their technical proposal if and how this criterion is met. The successful completion of the training must reasonably ensure that its graduates are equipped with necessary skills and may undergo MAG's assessment process for the second step of certification.

4. FINANCING SCHEME AND INELIGIBLE COSTS

Applicants may submit the proposals for up to USD 15,000 (excluding cost-sharing, if any). The justified and realistic budgets shall be provided. The fee paid in lieu of MAG's accreditation can be regarded as applicant's cost sharing.

5. WHO CAN APPLY?

Registered non-profit (non-commercial) legal entities and legal entities of public law are invited to apply for this Call for Proposals, except of religious and political organizations. **Entities should be registered in accordance with the requirements of Georgian legislation and must be able to provide organization's statute.**

All applicant organizations must demonstrate capacity of carrying out trainings for mediators in regions of Georgia in accordance with the regulations in place, including but not limited to: course development, accreditation, delivery, evaluation, sustaining results.

6. IMPLEMENTATION LOCATION(S) AND DURATION

While activities under Task 2 will be implemented for participants from cities/municipalities of Poti, Zestafoni, Terjola, Tetritskaro, Sachkhere and/or Ambrolauri, it is up to the applicant to determine most reasonable location of training activity.

UNDP reserves the right to negotiate regarding the locations of the grant implementation from the list of target areas with successful candidates.

The implementation period for approved grant shall not exceed three (3) months, counted from the date of the agreement signature to the date when all relevant activities have been successfully completed.

7. PROCEDURES OF GRANT PROPOSAL SUBMISSION

Those wishing to apply to the call must submit:

- Grant Application Form (See Annex 1) in line with the goals and approaches determined in this Call of Proposals.
- CVs of the proposed staff to be engaged in project implementation.
- Budget Form (See Annex B).
- Separate account requisites which will be used only for grant project operations.
- Extract from the public register.
- Proof of submitting application for accreditation to MAG (email/screenshot proving the confirmation of receipt, payment order).

All documents need to be submitted in English.

IMPORTANT: Please send signed Grant Application Form electronically in one file (searchable pdf format) to the following email: irina.mikeladze@undp.org. The Budget Form (See Annex B) shall be submitted as separate document electronically in Excel format. **The subject line should read: “CoP Application – Capacity Building of Mediator’s Training Providers.”** If additional clarifications are required, questions can be sent to the same email address indicated above. Answers to questions will be provided within two working days.

The deadline for applications is **Monday, 23 August 2021, 10:00 a.m. (Tbilisi time)**. Applications received after the deadline will not be considered.

Note: A consultation meeting will be held remotely on Friday **30 July 2021, at 11:00 a.m.** Interested parties shall send a preliminary request for participation in the meeting to the following email address Irina.mikeladze@undp.org

MAG accreditation for conduct of mediator’s training will be the mandatory precondition for awarding the grant agreement. The successful applicants will be requested to submit the proof of the accreditation upon the announcement of results of the proposal selection.

The successful grant proposals will be awarded with the grant upon exhaustion of the funds provided that all of them meets the minimum criteria as defined by this document.

The maximum amount allocated for the grant is USD 15,000. Proposals with the training organization costs, (including experts’ fees, catering and venue renting costs) exceeding 50% of the total budget will be disqualified without further consideration. Co-funding and in-house contributions are strongly encouraged and should be properly noted in the grant budget.

Eligible costs include honorarium/salary, training venue costs, stationery, basic office equipment, printing, creation of educational resources, IT solutions, visibility items, and other costs directly related to this grant activities.

Expenditures such as debts and debt service charges (interest), provision for losses or potential future liabilities, purchases of land or buildings, infrastructure improvement, maintenance, utilities, office rent, overhead, currency exchange losses and similar costs are ineligible for this grant proposal.

8. SELECTION PROCESS

Decisions on awarding grants are made by a Grant Selection Board (GSB). The Board will be comprised of the relevant UNDP representatives.

All GSB decisions on funding projects will be taken no later than three weeks after the closing date for applications. UNDP will inform successful applicants in writing no later than two weeks after the date of the GSB decision.

Selection Criteria and Scoring

Proposed projects will be selected based on the criteria outlined in the table 1 below.

Table 1. Selection Criteria and Scoring

Selection Criteria		Selection Criteria Description	Score ¹
1.	Team	The proposed project team has relevant experience in similar interventions, with demonstrated experience of delivering mediation trainings. Project management arrangements and division of roles are sound.	Max. 20 points
2.	Methodology	<p>The proposal is technically accurate and consistent.</p> <p>The applicant demonstrates good understanding of grant goals. The proposed interventions are reasonable, coherent, and responsive to the grant goals.</p> <p>The proposed grant implementation plan clearly demonstrates how it will support achievement of grant goals. The action plan for implementing the grant activities is clear, feasible and time realistic.</p> <p>The training programme submitted for MAG's accreditation exceeds minimum requirements set by the Programme by offering additional skills-oriented learning opportunities.</p> <p>Interventions for capacity building beyond training itself are reasonable, innovative and able to render sustainable effect.</p>	Max. 40 points
3.	Sustainability and transferability	The project is sustainable, and its further development and transferability of the results is possible.	Max. 20 points
4.	Project budget	The grant budget is relevant and in line with the proposed work plan and set indicators.	Max. 20 points
TOTAL			100 Points

An applicant(s) is considered as a winner if:

- an applicant received at least 50% of scores for each selection criteria and 70 points out of total 100 or higher;
- applicant's scores are competitive and higher towards other applicants.

The payment schedule will be agreed before signing the contract.

¹ The applicants may be scored within the range of indicated points, i.e. 0 to 20 or 0 to 40

Each organization can be awarded with only one grant to pilot one training. UNDP will be signing agreements with the winning applicants.

IMPORTANT: You will be notified by email no later than three working days after we have successfully received your application. If you do not hear from us within this timeframe, please, contact us during the next two days and request a confirmation of receipt of email.

Applications will be disqualified and will not be further considered if:

- Applicants do not comply with priorities or instructions provided in this announcement.
- Application is provided by the non-eligible entity.

9. VISIBILITY

Selected organization(s) must take all necessary steps to publicize the fact that the European Union has financed or co-financed the grant projects and must strictly comply with EU and UNDP Communication and Visibility Guidelines and Standards.

10. IMPORTANT ADDITIONAL INFORMATION

UNDP implements a policy of zero tolerance on proscribed practices, including fraud, corruption, collusion, unethical practices, and obstruction. UNDP is committed to preventing, identifying and addressing all acts of fraud and corrupt practices against UNDP as well as third parties involved in UNDP activities. (See http://www.undp.org/content/dam/undp/library/corporate/Transparency/UNDP_Anti_Fraud_Policy_English_FINAL_june_2011.pdf as well as <https://www.undp.org/procurement/business/protest-and-sanctions> for full description of the policies).

In responding to this Call for Proposals, UNDP requires all applicants to conduct themselves in a professional, objective and impartial manner, and they must at all time hold UNDP's interest paramount. Applicants must strictly avoid conflicts with other assignments or their own interests, and act without consideration for future work. All applicants found to have a conflict of interest shall be disqualified. Without limitation on the generality of the above, applicants, and any of their affiliates, shall be considered to have a conflict of interest with one or more parties in this solicitation process, if they:

- Are or have been associated in the past, with a firm or any of its affiliates which have been engaged by UNDP to provide services for the preparation of the design, Terms of Reference, cost analysis/estimation, and other documents to be used in this competitive selection process;
- Were involved in the preparation and/or design of the programme/project related to the services requested under this Call for Proposals; or
- Are found to be in conflict for any other reason, as may be established by, or at the discretion of, UNDP.

In the event of any uncertainty in the interpretation of what is potentially a conflict of interest, proposers must disclose the condition to UNDP and seek UNDP's confirmation on whether or not such a conflict exists.

Attached documents:

Annex A. Grant Application Form
Annex B. Budget Form