

26 October 2021



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE
for individual consultants and individual consultants assigned by
consulting firms/institutions

Country:	Viet Nam
Description of the assignment:	National Consultant to Develop training of trainers on Vietnamese Legal Code
Period of assignment/services (if applicable):	From October 2021 to March 2022 42 days
Duty Station:	Ha Noi, home-based
Tender reference:	P211003

1. Submissions should be sent by email to: nguyen.ngoc.phuong@undp.org no later than:

23.59 hrs., 10 November 2021 (Hanoi time)

With subject line:

P211003 – NC to Develop training of trainers on Vietnamese Legal Code

Submission received after that date or submission not in conformity with the requirements specified 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:

- Detailed CV addressing the experience and work you have done.
- Financial offer
- Submission of a study report in legal issues in English

b. Financial proposal (with your signature):

- The financial proposal shall specify a total lump sum amount in **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:

No.	Requirement	Points
1	PhD degree in law	100
2	Have at least 15 years of working experience in legal field; have professional experience in codification as an asset	300
3	Have experience in developing training materials in legal field, experience in using participatory training methodologies an asset. Submission of a training material in the legal issues as author or co-author	300
4	Excellent writing skills in Vietnamese and English Submission of a study report in legal field in English.	200
5	Having experience with governmental organization and with UN agencies as consultant in legal issue.	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.

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 the new online security awareness training is 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

No.	Deliverables as indicated in Section IV	Due Date	Payment Amount
1	Upon submission of deliverable 1 indicated in Section IV	15 November 2021	30%
2	Upon submission of all deliverables indicated in Section IV	31 March 2022	70%

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



TERMS OF REFERENCE INDIVIDUAL CONSULTANT

Ref#: Enter Ref #

Name of service:	Development of training of trainers on Vietnamese Legal Code		
Project:	The EU Justice and Legal Empowerment Program in Vietnam (EU JULE)		
Reporting to:	The Governance and Participation Unit of UNDP		
Duty Station:	Ha Noi, home-based	Travel Required:	No
Duration of Assignment:	From October 2021 to March 2022		
Start Date:	11/1/2021	End Date:	3/31/2022

BACKGROUND & PROJECT DESCRIPTION

In 2012, the Ordinance on Codification of the legal system was approved which enables to build a comprehensive legal library for citizen to easily get access to and search for legal information they need. The codification is aimed to build a better transparency and easier access to the legal system. According to the Ordinance, state agencies will review, collect and arrange current legal documents to formulate a Legal Code (Bộ Pháp điển). The Legal Code is the official Code and can be used for reference in law application and enforcement. Currently, the Vietnamese Legal Code goes online at phapdien.moj.gov.vn with 185/271 legal topics have been codified and there are 86 legal topics need to be codified in coming time. Though the codification involves efforts from different ministries and agencies, the use of the Legal Code for law implementation and enforcement is still limited.

In the past few years, Ministry of Justice has conducted many activities to increase public awareness about the Legal Code and its structure and how to use it. However, “Legal Code”

is not popular term and not easy to understand not only for public but officials, legal communicators who providing and disseminating legal information to public.

The EU Justice and Legal Empowerment Programme (EU JULE) funded by the EU and being implemented by UNDP and UNICEF seeks to strengthen the rule of law through a more reliable, trusted and better accessed justice system. Key objectives of the Programme are to increase public awareness and understanding of rights and how to invoke those rights and building, in a coherent and coordinated manner, the capacity of Government institutions at both the central and provincial level. Training for trainers (TOT) courses are one of focus areas for building key resource persons for capacity building activities in the future.

Capacity building for legal officers of the government officials in charge of codification legal topics of the Legal Code and legal communicators who providing and disseminating legal information to public is a need and is one of the critical ways to achieve the Programme's objectives.

Responding to the need, under the EU JULE, United Nations Development Programme (UNDP) commissions a team of two national consultants to develop a training of trainer materials on Vietnamese Legal Code.

OBJECTIVES

To develop a training of trainer materials of the Vietnamese Legal Code. The training materials will be used to conduct trainings of trainers for those who will take responsible for doing the Codification, updating the legal regulations from their respective agencies to the Vietnamese Legal Code.

The training materials will be also used for training the legal communicators on how to use it to get legal information.

The TOT materials will be pretested for finalization and uploaded at the MOJ website, Vietnamese Legal Code Website, and other communication channels. Officials, students, and individuals of interest can study the Vietnamese legal code by themselves to raise awareness and perform their work better.

METHODOLOGIES AND APPROACHES

The following approaches should be considered during performing the assignment:

1) Ensuring gender sensitiveness: Due to the nature of the project and the gender and development approach, gender equality and gender sensitiveness aspects should be mainstreamed in the developed training materials and training delivering.

2) Participatory and learner-centered approaches: The training materials should be developed to help trainers to perform their tasks more efficiently. A participatory and learner-centered approaches as well as skill-based training method should be employed and expressed clearly in the training materials.

SCOPE OF WORK

The assignment will be carried out by one national technical consultant. The successful consultant is expected to be responsible to develop a training of trainer materials on the Vietnamese Legal Code. with the following tasks:

1. National technical consultant- (42 days)

General tasks:

- Take ultimate responsibility for the final products
- Take the lead in discussions and responsibility for the whole process of the assignment with UNDP and the Department of Examination of Legal Documents (hereinafter referred to as the Department)

Specific tasks

No.	Tasks	Number of working days
1.	Conduct desk review of the documents and materials relating to codification, UNDP drafted guideline of participatory training of trainers to propose the main contents of the training materials and implementation plan; discuss with the Department and UNDP to reach agreement on the contents of the training materials	3
2.	Based on the approved contents, develop the detailed outline of the TOT materials, discuss with the Department and UNDP, and revise it upon comments and inputs of the Department and UNDP	2
3.	Develop the training material for trainees based on the approved training outlines	8
4.	Revise the training material for trainees, based on comments and inputs from UNDP and the Department	3

5.	Develop trainer's guide based on the training materials for trainees	5
6.	Revise the trainer's guide based on the comments and inputs from UNDP and the Department	2
7.	Prepare, participate, and present the main contents and methodologies of the training materials at the two one-day technical meetings organized by the Department tentatively in Ha Noi.	3
8.	Revise the training materials based on comments and inputs collected at the two technical meetings	4
9.	Prepare and facilitate a 2-day pretest training organized by the Department and UNDP tentatively in Ha Noi Prepare a pre-test training report highlighting issues to be taken consideration for further revision of the training materials and submit the report to UNDP and the Department,	3
10.	Revise the training materials (trainer's guide and training materials for trainees) based on the pre-test training results. Submit the complete package of training materials to UNDP and the Department for final review	5
11.	Based on the finalized package of training materials, develop, and finalize summary of the training materials (trainer's guide and training material for trainees) in both English and Vietnamese. Submit the summarized training materials (trainer's guide and training material for trainees) to UNDP and the Department for review and approval	4
Total of days		42 days

DELIVERABLES & IMPLEMENTATION TIMELINE

Final products

The national consultant is expected to deliver the final products as follows:

(1) A package of training materials in Vietnamese, consisting of:

a. Training handbook for trainees

The handbook for trainees is structured by modules/topics for different lessons. Each module incorporates a detailed lesson plan, learning objectives, the content and reference materials relevant to the module and self – study questions, case studies.

The handbook for trainees must include at least two parts but not limit to:

- (1) Overview of Codification: concept of codification, roles and importance of the codification; Structure of Vietnamese Legal Code; How to use the Vietnamese Legal Code.
- (2) Instruction of professional skills of updating new legal normative documents, new legal topics in the Legal Code; Guideline of authority, responsibilities, and procedure and methodology of updating new legal normative documents on the software of Codification.

b. Trainer's guideline

The trainer's guideline is developed based on the training materials for trainees, will include but not limit to:

- (1) Introduction of participatory training methodologies, guiding notes for trainers to conduct the TOT, suggested selection criteria for TOT participants
- (2) Training agenda.
- (3) Lesson's plan for each of the modules (including objectives and expected results after the lesson; allocated time; training methodologies and steps for each of the activities; summaries for each of the lessons)
- (4) How to conduct the training in virtual/online platform
- (5) Visual aids (power points, videos, pictures, and other tools if any).
- (6) Pre and post training evaluation forms; Training report template.

(2) **Summary of the training materials in English and Vietnamese**, consisting of

2.1. Training handbook for trainees

Summary of the handbook for trainees that includes introduction, main contents of each module, exercises if any of each module, expected results upon each module.

2.2. Trainer's guideline

Summary of the guideline for trainers that includes introduction of the trainers' guide, objectives targeted trainers and trainees, methodologies and approaches, suggested selection criteria for TOT participants; detailed outline and training agenda; key content of each module/lesson; training report templates.

Implementation timeline

No	Deliverable	Target due date
1.	Final detailed training outline and implementation plan approved by UNDP and the Department	15 November 2021

2.	Presentation of the training materials at the two technical meetings	15 December 2021
3.	Training material pretested at a two- day training workshop organized by the Department in Ha Noi.	31 December 2021
4.	Final training materials (trainer's guide and training handbook for trainees in Vietnamese) Final summarized trainer's guide and training handbook for trainees in English and Vietnamese.	31 March 2022

COPY RIGHTS AND INTELLECTUAL PROPERTY RIGHTS

All outputs produced in this TORs shall remain the property of UNDP and MOJ Department of Examination of Legal Documents who shall have exclusive rights over their use.

The consultants may not use, reproduce such works without prior consent from UNDP and MOJ Department of Examination of Legal Documents.

DURATION OF ASSIGNMENT, DUTY STATION & EXPECTED PLACES OF TRAVEL

Estimated number of working days: 42 days for national technical consultant

Duty station: Hanoi and home-based for national consultant.

Expected places of travel: None

PROVISION OF MONITORING & PROGRESS CONTROL

The national technical consultant shall work collaboratively on this assignment, under monitoring of Program Officer in charge in the UNDP Governance and Participation Unit and MOJ Department of Examination of Legal Documents and deliver final products as described in Section IV above.

ADMINISTRATIVE SUPPORT & REFERENCE DOCUMENTS

Administrative Support

UNDP will collaborate with MOJ Department of Examination of Legal Documents to invite stakeholders to the technical meetings and pre-test training workshop for the draft products.

DEGREE OF EXPERTISE & QUALIFICATIONS

UNDP selects one national consultant in consultation with MOJ Department of Examination of Legal Documents, with the following expected qualifications:

1. National consultant

Qualifications	PhD degree of Law
Relevant Professional Experience	<p>Have at least 15 years of working experience in legal field; have professional experience in codification as an asset</p> <p>Have experience in developing training materials, experience in developing training materials in legal field, using participatory training methodologies as an asset.</p> <p>Submission of a training material in the legal issues as author or co-author</p>
Other Competencies	Have experience in working with governmental organizations, and with UN agencies as consultant in legal field.
Language Requirements	<p>Excellent writing skills in Vietnamese and English.</p> <p>Submission of a study report in legal issues in English</p>

PAYMENT TERMS

For National consultant:

No.	Deliverables as indicated in Section IV	Due Date	Payment Amount
1	Upon submission of deliverable 1 indicated in Section IV	15 November 2021	30%
2	Upon submission of all deliverables indicated in Section IV	31 March 2022	70%

CONSULTANT PRESENCE REQUIRED ON DUTY STATION

☒ NONE
 ☐ PARTIAL
 ☐ INTERMITTENT
 ☐ FULL-TIME

EVALUATION CRITERIA

1. National technical consultant

No.	Requirement	Points
1	PhD degree in law	100

2	Have at least 15 years of working experience in legal field; have professional experience in codification as an asset	300
3	Have experience in developing training materials in legal field, experience in using participatory training methodologies an asset. Submission of a training material in the legal issues as author or co-author	300
4	Excellent writing skills in Vietnamese and English Submission of a study report in legal field in English.	200
5	Having experience with governmental organization and with UN agencies as consultant in legal issue.	100
	Total	1,000

Documents for Submission

Applicants will be expected to include the following along with their application:

1. **Core Documents for national consultant**

Letter of Confirmation of Interest and Availability using the template provided by UNDP;

Current and complete CV in English;

01 sample communication product for national consultant as indicated above (if required);

Financial offer using the standard UNDP template.

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 ofUS\$

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

Cost breakdown:

No.	Description	Quantity	Unit Rate (US\$)	Total
1	Consultancy fee (daily rate)			
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). *			
2.5	Others (pls. specify).....			
2.6	VAT** if applicable (in case your company signs the contract)			
	TOTAL			

* Individual Consultants/Contractors who are over 62 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).