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TERMS OF REFERENCE FOR INDIVIDUAL CONSULTANT

National Consultant to Conduct Institutional, Policies and Regulation Assessment of Relevant Inter-Ministerial Agencies

POST TITLE:	National Consultant for Institutional, Policies and Regulation Assessment
AGENCY/PROJECT NAME:	UNDP/ Arafura and Timor Seas Ecosystem Action Phase 2 (ATSEA-2)
PERIOD OF ASSIGNMENT/SERVICES:	60 working days between December 2021 and February 2022
COUNTRY OF ASSIGNMENT:	Timor-Leste
STARTING DATE:	01 December 2021
LOCATION:	UNDP Timor-Leste
DUTY STATION:	Dili, Timor-Leste

A. PROJECT DESCRIPTION:

The Arafura and Timor Seas (ATS) is part of the North Australian Shelf large marine ecosystem (LME), which is a tropical sea lying between the Pacific and Indian Oceans and extending from the Timor Sea to the Torres Strait and including the Arafura Sea and Gulf of Carpentaria. The region is adjacent to the Coral Triangle, which hosts the world's highest marine biodiversity and contains some of the most pristine and highly threatened coastal and marine ecosystems. At the regional scale, the ecosystems of the ATS play an important economic and ecological role in the littoral nations bordering the Arafura and Timor Sea: Indonesia, Timor-Leste, Australia, and Papua New Guinea.

The marine environment in the ATS region is in serious decline, primarily as a result of overharvesting and other direct and indirect impacts of anthropogenic stresses and global climatic changes. Fisheries in the ATS region represent an extremely complex productive, socioeconomic sector, with multiple actors, target species sought, and technology used. The main characteristics of depletion of shared ATS transboundary stocks by fishery were assessed as part of the ATS transboundary diagnostic analysis (TDA) in 2012. In addition to climate change, unsustainable harvesting, illegal unreported unregulated (IUU) fishing, and bycatch are having significant impacts on the populations of key marine species in the ATS region, particularly globally threatened coastal marine megafauna including migratory, rare, and threatened species of turtles, dugongs, seabirds/shorebirds, sea snakes, cetaceans, sharks and rays. Lastly, potential sources of marine pollution in the ATS region include marine debris, marine based pollution from oil and gas activities, as well as waste from fishing and shipping vessels.

Activities under Output 1.1.3 will support coordination between different sectoral agencies at the national and subnational levels. Building upon the results from Phase 1 of the ATSEA program, an updated regional institutional review of the relevant institutions will be carried out. For each country, terms of references (TOR) will be formulated for the NIMCs, and the project will support NIMC meetings over the course of the project implementation. The role and responsibilities of the NIMC will be documented in the updated ATS NAPs, along with funding arrangements for sustained support for the NIMC for guiding longer term implementation of the NAP.



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To this end, this proposed assignment is to undertake a country level institutional assessment, consolidate information and stakeholder's feedback and establishment of national inter-ministerial committee to support the implementation of integrated approaches to natural resources management and climate change adaptation.

B. OBJECTIVE OF THE ASSIGNMENT/SCOPE OF SERVICE

The objective of the consultancy assignment is to (1) Undertake a national level assessments of inter-ministerial agencies to be involved in the National Inter-Ministerial Committee (NIMC), (2) Develop options and TOR for NIMC at the national level to support the ocean and coastal resource management and (3) Provide technical assistance to NIMC creation with Ministerial endorsement, (4) Conduct an assessment of national policies and regulations related to fisheries and biodiversity conservation and climate change adaptation, with emphasis towards identifying inadequacies and opportunities for strengthening provisions in support of integrated approaches, such as EAFM, EbA, etc,

In close consultation with Government of Timor-Leste (GoTL) counterparts, that is Directorate General for Fishery of the Ministry of Agriculture and Fishery (MAF), UNDP and other relevant stakeholders and with direction from the programme manager, the consultant will perform the following tasks:

1. Conduct an institutional assessment of relevant inter-ministerial agencies and municipalities counterparts that would be involved in the National Inter-Ministerial Committee (NIMC).
2. Carry out stocktaking of existing NIMC, undertake an analysis, and consolidate information on how the NIMC relate to another existing regional program such CTI, PEMSEA etc. and seek stakeholder's feedback.
3. Develop recommendation or options for the establishment of NIMC at the national level to support the implementation of integrated approaches to natural resources management and climate change adaptation.
4. Develop a Terms of References (TOR) outlining the NIMC objective, operational plan, and roles and responsibilities of its members.
5. In close collaboration with the ATSEA2 Project National Coordination Unit of the UNDP and MAF establish the NIMC with endorsement from the Minister of Agriculture and fisheries.
6. Conduct assessment of national policies and regulations related to fisheries and biodiversity conservation and climate change adaptation, with emphasis towards identifying inadequacies and opportunities for strengthening provisions in support of integrated approaches, such as EAFM, EbA, etc.

C. EXPECTED OUTPUTS AND DELIVERABLES

The specific deliverables expected from this assignment is as following:

#.	Deliverables/ Outputs	Estimated completion days	Target Due Dates	Payment Milestones	Review and feedback	Review & Approval
1	Inception Report and consultancy work plan	5	15 December 2021	5%	UNDP, DG Fishery (MAF)	UNDP



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2	Report on institutional assessment of relevant inter-ministerial agencies and municipal counterparts that would be involved in the NIMC	10	31 December 2021	25%	and other relevant line ministries
3	Terms of References (TOR) outlining the NIMC objective, operational plan, and roles and responsibilities of NIMC and its members (reviewed and cleared by UNDP and MAF)	15	15 January 2022	25%	
4	Recommendation or options for the establishment of NIMC at the national level to support the implementation of integrated approaches to natural resources management and climate change adaptation include develop ministerial diploma on the establishment of NIMC for endorsement by MAF. (Reviewed and cleared by UNDP and MAF)	20	10 February 2022	20%	
5	Final assessment report on the national policies and regulations related to fisheries, biodiversity conservation, and climate change adaptation (Reviewed and cleared by UNDP and MAF)	10	28 February 2022	25%	
Total number of days		60 days		100%	

D. INSTITUTIONAL ARRANGEMENTS

The Individual Consultant (IC) will be reporting to UNDP Team Leader, Programme manager in seeking approval and acceptance of the above-mentioned outputs, upon securing endorsements from National Project Director (NPD) ATSEA-2. The IC should work in close collaboration with MAF DG Fisheries and his team to ensure involvement of its technical staff as well as MAF municipal fisheries officials and local Government authorities.

The IC will work closely with the National Project Coordinator (NPC) ATSEA-2 who will ensure that all necessary support is available and all meetings with stakeholders and partners are arranged for this assignment. The NPC will also provide guidance and information and liaise with the government partners to facilitate the process needed for this assignment. The IC will be in regular contact with National Project Coordinator (NPC) ATSEA-2 to update his/her working progress.



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E. DURATION OF ASSIGNMENT

The assignment is expected for a period of 60 days between **December 2021 to February 2022 in Timor-Leste**. The consultant must also be available for regular meetings in person with the CO management, programme unit and implementing partners and stakeholders. Field visits to municipalities for consultation, if required, will be arranged based on the approved consultant's work plan/schedule.

F. DUTY STATION

Dili, Timor-Leste

G. QUALIFICATIONS OF THE SUCCESSFUL INDIVIDUAL CONTRACTOR

1. Academic Qualifications:

- Master's degrees in Natural Resources Management, Economics, international development, environmental law and policy, or other relevant field of studies.

2. Minimum experience requirement:

- At least 3 to 5 years experiences in undertaking institutional assessment, environmental related policy review and development, or similar assignment.
- Proving record in undertaking similar assignment on institutional assessment and capacity development.
- Proven track record in coordination and working with ministries to align priorities with the national planning document.
- Maturity and confidence in dealing with senior and high-ranking members of national and local institutions, government and non-government.
- Cultural sensitivity to work in multicultural, multi-ethnic environment.
- Experience in producing high quality reports.

3. Language Requirements:

- Fluency in English with excellent written communication skills, and strong experience writing reports is required.
- Knowledge of written and spoken skills in Tetum and Portuguese would be an advantage.

4. Competencies and special skills requirement:

- Strong leadership and good communication skills and strong analytical, reporting and writing skills;
- Openness to change and ability to receive/integrate feedback and have ability to plan, organize, implement and report on work;
- Ability to work under pressure and tight deadlines.
- Proficiency in the use of office IT applications and Internet in conducting research.
- Good presentation and facilitation skills and demonstrates integrity and ethical standards.
- Positive, constructive attitude to work and displays cultural, gender, religion, race, nationality and age sensitivity and adaptability.



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- Strong field work experience and strong communication skills in community and other relevant stakeholder.

H. SCOPE OF PRICE PROPOSAL AND SCHEDULE OF PAYMENTS

Lump Sum Amount

The financial proposal must be expressed in the form of a lump sum all-inclusive cost linked to deliverables specified in TOR Section C, supported by a breakdown of costs as per the template provided. If travel to municipalities is required during the assignment, UNDP will cover all the costs of transportation, hotels and meals.

If an Offeror is employed by an organization/company/institution, and he/she expects his/her employer to charge a management fee in the process of releasing him/her to UNDP under Reimbursable Loan Agreement (RLA), the Offeror must indicate at this point, and ensure that all such costs are duly incorporated in the financial proposal submitted to UNDP.

Schedule of payments

Per deliverable/s upon submission of its completion deliverables report and accepted by UNDP, each deliverable as per the timeline mentioned in section D (expected outputs and deliverables).

Deliverable/Outputs	Target due dates	Breakdown of the payment
Deliverable 1: Inception Report and consultancy work plan	15 December 2021	5%
Deliverable 2: Report on institutional assessment of relevant inter-ministerial agencies and municipal counterparts that would be involved in the NIMC	31 December 2021	25%
Deliverable 3: Terms of References (TOR) outlining the NIMC objective, operational plan, and roles and responsibilities of NIMC and its members (reviewed and cleared by UNDP and MAF)	15 January 2022	25%
Deliverable 4: Recommendation or options for the establishment of NIMC at the national level to support the implementation of integrated approaches to natural resources management and climate change adaptation include develop ministerial diploma on the establishment of NIMC for endorsement by MAF. (Reviewed and cleared by UNDP and MAF)	10 February 2022	20%
Deliverable 5: Final assessment report on the national policies and regulations related to fisheries, biodiversity conservation, and climate change adaptation (Reviewed and cleared by UNDP and MAF)	28 February 2022	25%



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I. RECOMMENDED PRESENTATION OF OFFER

Individual consultants interested in the assignment must submit the following documents to demonstrate their qualification in one single PDF document:

- a) **Duly accomplished Letter of Confirmation of Interest and Availability** using the template provided by UNDP ([the template to be downloaded from the procurement notice link](#)).
- b) **Personal CV or P11** indicating all past experiences from similar projects, as well as the contact details (email and telephone number) of the Candidate and at least three (2) professional references (to be downloaded from the procurement notice link).
- c) **Financial Proposal:** that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided ([the template to be downloaded from the procurement notice link](#)).
- d) **Technical Proposal:**
 - a. Brief description of why the individual considers him/herself as the most suitable for the assignment;
 - b. A methodology, on how they will approach and complete the assignment and work plan as indicated above.

J. CRITERIA FOR SELECTION OF THE BEST OFFER

Individual consultant will be evaluated based on the following methodology:

The award of the contract shall be made to the individual consultant whose offer has been evaluated and determined as:

- 1) Responsive/compliant/acceptable, and
- 2) 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 49 points (70% of the total technical points) would be considered for the Financial Evaluation.

Technical Evaluation (70%)

Qualification, Experience and Technical Proposal (70 marks):

- 1) General Qualification (15 marks);
- 2) Experience relevant to the assignment (35 marks);
- 3) Technical Proposal: Brief methodology and workplan on how the consultant will approach and complete the work (20 marks).



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Financial Evaluation (30%):

The following formula will be used to evaluate financial proposal:

$p = y (\mu/z)$, where

p = points for the financial proposal being evaluated

y = maximum number of points for the financial proposal

μ = price of the lowest priced proposal

z = price of the proposal being evaluated

Annexes (click on the hyperlink to access the documents):

- **Annex 1 - IC Contract Template** (for information);
- **Annex 2 - Financial Proposal Template using the template provided by UNDP** (to be completed at later stage upon request by UNDP);
- **Annex 3 – IC General Terms and Conditions** (for information);
- **Annex 4 – RLA Template** (if consultant wishes to be recruited through an employer) - (for information).

Incomplete applications will not be considered and will be disqualified automatically.

K. APPROVAL

This TOR is approved by:

Signature

Name and Designation

Date of Signing

A handwritten signature in black ink, appearing to read 'Domingos Leao'.

Domingos Leao, Director General

03-NOV-2021