PROCUREMENT NOTICE
FOR THE ENGAGEMENT OF AN INDIVIDUAL CONTRACTOR SERVICES

Date: 27 January 2022

<table>
<thead>
<tr>
<th>Post Title:</th>
<th>Individual Contractor (IC) – Senior International Institutional Legal Expert</th>
</tr>
</thead>
<tbody>
<tr>
<td>Starting Date:</td>
<td>Upon Contract Signature Date</td>
</tr>
<tr>
<td>Duration:</td>
<td>Up to Twenty Five (25) working days over a period of two (2) calendar months</td>
</tr>
<tr>
<td>Location:</td>
<td>Home Based Assignment</td>
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<tr>
<td>Project:</td>
<td>SDG Climate Facility - Legal set-up and governance structure</td>
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<tr>
<td>Requisition Number:</td>
<td></td>
</tr>
<tr>
<td>National/International consultants:</td>
<td>International Consultant</td>
</tr>
<tr>
<td>Is this a LTA (yes/no):</td>
<td>No</td>
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</table>

CONTEXT/BACKGROUND

The Arab region is highly vulnerable to climate change, its associated risks and impacts. As a threat-multiplier, existing vulnerabilities can become worse. This includes for instance water-scarcity, food security, loss of livelihoods, and other negative impacts on the achievement of the SDGs in the region, including peace and stability.

There is a growing recognition that development cannot be effective nor sustainable if it is approached in a linear manner. The necessity for an integrated approach as inferred in Agenda 2030 calls on partners to take a nexus approach for comprehensive solutions that bring dividends across different areas of work. Development pathways in the region require risk-informed approaches to adequately meet the needs of the most climate vulnerable communities, prevent people from falling back into poverty due to slow-onset climate impacts on resource security as well as other crises and shocks.

In response to these challenges, multiple UN agencies (UNDP, UNEP-FI, WFP, UN-Habitat, UNDRR) together with the League of Arab States and the Arab Water Council have initiated a regional project for the Arab region, the SDG-Climate Facility Project: Climate Action for Human Security ($9.7 million) which aims to promote climate related solutions that bring benefits to multiple priority SDGs like poverty eradication, women’s empowerment, access to water, access to clean and affordable energy, ecosystem resilience, and for crisis prevention and recovery efforts. Underlying and cutting across these programmatic objectives is the aim to establish a regional SDG-Climate Facility, which will take forward a nexus approach beyond the life-cycle of the project.

The SDG-Climate Facility will be one vehicle through which cooperation and partnership can be enhanced to cater to the diverse priorities in an integrated manner. The vision of the SDG-Climate Facility is to become the “lead actor for the transformation required to scale up climate resilience and to provide integrated and innovative solutions towards a sustainable future for the Arab region.

In this regard, the Facility will help to scale-up innovative finance and partnerships to address multi-dimensional climate and sustainable development issues, with a dedicated focus on providing integrated nexus solutions.
The Interim Facility will focus on two main pillars of work, namely (i) Climate and Human Security and (ii) Climate and Sustainable Finance. The SDG-Climate Facility will have a geographical scope focused on the countries in the Arab States region. It is expected that Facility will provide services that enable regional and country-driven nexus solutions to be as effective as possible. In this regard, the functional services of the Facility will be focused on providing flexible, interchangeable packages, based on demand that will include: (i) Technical and policy advisory support; (ii) Capacity strengthening; (iii) Research, and analysis; (iv) Enhance access to public and private finance; and (v) Leverage, convene and facilitate knowledge exchange.

Various discussions, preparatory reports, and consultations have taken place to inform the establishment of the Facility. Building on those initial outputs, the current assignment is seeking a Senior International Institutional Legal Expert to define the most desirable legal identity of the Facility to fulfill its functions. This clarity on the legal identity is also expected to help establish the most adequate governance structure.

**SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED WORK**

The objective of the assignment is to provide two options on the legal identity of the new SDG-Climate Facility. This will include i) a succinct proposal that outlines the main legal dimensions for the Facility; ii) the steps required to establish the legal structure; and iii) implications for the governance of the Facility.

The Senior International Institutional Legal Expert will:

- a) Review existing materials (preparatory reports, meeting minutes and notes, consultation summaries, etc.)
- b) Assess and review the current thinking on the set-up of the Facility, including its intended services
- c) Propose two options that define the legal structure of the Facility, listing the advantages and disadvantages of both options. For each of these options, a recommended governance structure under each scenario should also be presented
- d) Recommend a concrete and explicit implementation plan (expertise required, legal registration, host country requirements, etc.)
- e) Present the findings to the Project Partners and Board Members
- f) Address remaining issues and concerns raised by members
- g) Revise and submit final proposal

**EXPECTED OUTPUTS AND DELIVERABLES**

<table>
<thead>
<tr>
<th>Expected Outputs and Deliverables</th>
<th>Estimated number of workdays/deliverables</th>
<th>Targeted Due Dates</th>
<th>Review and Approvals Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deliverable 1: Draft proposal with two legal options for the set-up of the Facility, including potential risks of either options, and consequent governance structures</td>
<td>18 Working Days</td>
<td>3 calendar weeks from contract signature date</td>
<td>CTA – Regional Project Manager</td>
</tr>
<tr>
<td>Deliverable 2: Finalized proposal taking into account comments from partners</td>
<td>7 Working Days</td>
<td>2 calendar weeks after successful delivery of Deliverable 1</td>
<td></td>
</tr>
</tbody>
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**INSTITUTIONAL ARRANGEMENT**

- The individual is required to exhibit his or her full-time commitment with UNDP Regional Bureau for Arab States (RBAS).
- S/He shall perform tasks under the direct supervision and overall guidance of the Chief Technical Advisor/Project Manager of the SDG Climate Facility regional project.
The supervision of the Chief Technical Advisor/Project Manager will include approvals/acceptance of the outputs and deliverables as identified in the previous section.

The individual is expected to liaise and collaborate in the course of performing the work with other consultants, suppliers, and UN colleagues.

The individual is required to provide periodical progress reports on regular and needed basis throughout the assignment to monitor progress.

The individual is required to maintain close communication with UNDP-RBAS on regular and needed basis at any period throughout the assignment in order to monitor progress. In the event of any delay, S/he will inform UNDP promptly so that decisions and remedial action may be taken accordingly.

Should UNDP deem it necessary, it reserves the right to commission additional inputs, reviews, or revisions, as needed to ensure the quality and relevance of the work.

**DURATION OF THE WORK**

The expected duration of the assignment is expected to be up to Twenty Five (25) working days over a period of two (2) calendar months from contract signature date.

**DUTY STATION**

Home-based assignment.

**TRAVEL PLAN**

If unforeseen travel outside the consultant home-based city is requested by UNDP and not required by the Terms of References (ToR), such travel shall be covered by UNDP in line with applicable rules and regulations and upon prior written agreement. In such cases, the consultant shall receive living allowances not exceeding the United Nations (UN) Daily Subsistence Allowance (DSA) rate for such other location(s).

**QUALIFICATIONS OF THE SUCCESSFUL INDIVIDUAL CONTRACTOR**

I. **Education:**
   Master’s degree in Law, International Law, or any other relevant area.

II. **Work experience:**
   - A minimum of 15 years of relevant work experience in institutional development, legal advisory support, or related areas;
   - Knowledge and previous experience in providing legal counsel to established or new international organizations, including international finance organizations;
   - Prior experience working on climate change, disaster risk reduction, or related areas;
   - Recognized expertise in the field of international law;
   - Experience in providing advice on legal implications and governance structures of international organizations, including financial organizations;
   - Proven experience in providing legal advice in relation to institutional set-up and structuring of new organizations;
   - Proven ability to convey complex ideas to a diverse range of stakeholders, including high-level policy makers;
   - Previous working experience with the United Nations is a plus;
   - Previous working experience in the Arab States/MENA is a plus.

III. **Language Requirements:**
   - Language proficiency in both written and oral English is required.

IV. **Competencies:**
   a) Corporate
   - Demonstrates integrity and fairness, by modeling the UN/UNDP’s values and ethical standards.
• Promotes the vision, mission, and strategic goals of UNDP.
• Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability.

b) Functional
• Demonstrated entrepreneurial abilities and demonstrated ability to work in an independent manner.
• Background knowledge about the SDGs, United Nations and UNDP.
• Good teamwork and interpersonal skills.
• Flexibility and ability to handle multiple tasks and work under pressure.
• Excellent drafting and formulation skills.
• Excellent computer skills especially in software packages relevant to the required tasks.

c) Leadership
• Demonstrated ability to think strategically and to provide credible leadership.
• Demonstrated intellectual leadership and ability to integrate communication and marketing products into event objectives and vision.

d) Managing Relationships
• Demonstrated ability to develop and maintain strategic partnerships.
• Demonstrated well developed people management and organizational management skills.

SCOPE OF PRICE PROPOSAL AND SCHEDULE OF PAYMENTS

The contractor will be paid an all-inclusive Deliverables/Outputs based lump sum amounts over the assignment period, subject to the submission of Certification of Payment (CoP) duly certified and confirmation of satisfactory performance of achieved work (deliverables/outputs) in line with the schedule of payments table hereunder, noting that the maximum number of working days for this assignment shouldn’t exceed two (02) calendar months.

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<th>Targeted Due Dates</th>
<th>Schedule of Payment</th>
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<td><strong>Deliverable 1:</strong>&lt;br&gt;Draft proposal with two legal options for the set-up of the Facility, including potential risks of either options, and consequent governance structures</td>
<td>18 Working Days</td>
<td>3 calendar weeks from contract signature date</td>
<td>After satisfactory completion of deliverable(s) one (01) and submission of duly certified Certification of Payment (CoP) up to 50% of total contract amount</td>
</tr>
<tr>
<td><strong>Deliverable 2:</strong>&lt;br&gt;Finalized proposal taking into account comments from partners</td>
<td>7 Working Days</td>
<td>2 calendar weeks after successful delivery of Deliverable 1</td>
<td>After satisfactory completion of deliverable(s) two (02) and submission of duly certified Certification of Payment (CoP) up to 50% of total contract amount</td>
</tr>
</tbody>
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RECOMMENDED PRESENTATION OF OFFER

Interested individual consultants must submit documents under point 1, 2, & 3 to demonstrate their qualifications. Candidates that fail to submit these documents, the application will not be considered.

1) Duly accomplished Letter of Confirmation of Interest and Availability using the template provided by UNDP;

2) Personal CV or P11, indicating all past experience from similar projects, as well as the contact details (email and telephone number) of the Candidate and at least three (3) professional references;
3) Brief Description of why you consider yourself as the most suitable candidate for this assignment;

4) Financial Proposal: Please do not submit financial proposal in this stage. Financial proposal shall be requested from Candidates who are considered technically responsive. When the financial proposal is requested it should indicate the all-inclusive Deliverables/Outputs based total contract price, supported by a breakdown of costs, as per template provided. The terms “all-inclusive” implies that all costs (professional fees, travel costs, living allowances, communications, consumables, etc.) that could possibly be incurred are already factored into the final amounts submitted in the proposal. 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.

Interested candidates shall submit required documents to Job Advertisement Website (https://jobs.undp.org/cj_view_jobs.cfm) as one document not later than 08 February 2022

Interested candidates can find Procurement Notice, Letter of Confirmation of Interest and Availability and P11 templates on the following link: http://procurement-notices.undp.org/

CRITERIA FOR SELECTION OF THE BEST OFFERS

This selection criteria will follow the Combined Scoring method – where the qualifications and methodology will be weighted a max. of 70%, and combined with the price offer which will be weighted a max of 30%, using the following evaluation criteria

Individual consultants will be evaluated based on the following methodologies:

Step I: Screening and Shortlisting:

Individual consultants will be evaluated based on the following methodology.

Applications will be first screened and only candidates meeting the following minimum requirements will progress to the pool for shortlisting:

➢ Criteria A: Master’s degree in Law, International Law, or any other relevant area;
➢ Criteria B: A minimum of 15 years of relevant work experience in institutional development, legal advisory support, or related areas; and
➢ Criteria C: Language proficiency in both written and oral English is required.

Step II: Technical Review

Shortlisted candidate will undergo a technical evaluation which will assess the following points:

Technical Evaluation Criteria max 100 points (Weighted 70):

➢ **Criteria A**: Knowledge and previous experience in providing legal counsel to established or new international organizations, including international finance organizations; (10 points)
➢ **Criteria B**: Prior experience working on climate change, disaster risk reduction, or related areas; (20 points)
➢ **Criteria C**: Recognized expertise in the field of international law; (10 points)
➢ **Criteria D**: Experience in providing advice on legal implications and governance structures of international organizations, including financial organizations; (20 points)
➢ **Criteria E**: Proven experience in providing legal advice in relation to institutional set-up and structuring of new organizations; (15 points)
➢ **Criteria F**: Proven ability to convey complex ideas to a diverse range of stakeholders, including high-level policy makers; (10 points)
➢ **Criteria G**: Previous working experience with the United Nations; (10 points)
➢ **Criteria H**: Previous working experience in the Arab States/MENA; (5 points)
Financial Criteria - 30% of total evaluation

For those offers considered in the financial evaluation, the lowest price offer will receive 30 points. The other offers will receive points in relation to the lowest offer, based on the following formula: \((\text{PI} / \text{Pn}) \times 30\) where \(\text{Pn}\) is the financial offer being evaluated and \(\text{PI}\) is the lowest financial offer received.

Step II: Final Evaluation

The final evaluation will combine the scores of the desk review and the financial proposal with the following weights assigned to each:

Individual consultants will be evaluated based on the cumulative analysis methodology (weighted scoring method), where the award of the contract will be made to the individual consultant whose offer has been evaluated and determined as:

- Responsive/compliant/acceptable; and
- Having received the highest score out of a pre-determined set of technical and financial criteria specific to the solicitation.

Technical Criteria weight: [70%]
Financial Criteria weight: [30%]

Only Individual Consultants obtaining a minimum of 49 points (70%) on the Technical evaluation would be considered for the Financial Evaluation.