



08 February 2022

## INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

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

|  |   |
|--|---|
| Country:                                       | Viet Nam  |
| Description of the assignment:                 | <b>01 National Consultant to contribute to a study on falsified medical product-related crime in Viet Nam</b> |
| Period of assignment/services (if applicable): | January 2022 – 25 May 2022  |
| Duty Station:                                  | Home-based  |
| Tender reference:                              | L220104   |

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1. Submissions should be sent by email to: [nguyen.duc.long@undp.org](mailto:nguyen.duc.long@undp.org) no later than:  
**23.59 hrs., Monday, 14 February 2022 (Ha Noi time)**

With email subject line:

**L220104 – National Consultant to contribute to a study on falsified medical product-related crime in Viet Nam**

Followed by notification by email (*without attachment*) to: [procurement.vn@undp.org](mailto: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.

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](mailto: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
- Signed Letter to UNDP Confirming Interest and Availability
- List of relevant written documents related to legal reviews, handbooks, guidelines and/or analysis in Vietnamese and in English

**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:

|   | Criteria   | Maximum Point |
|---|--|---------------|
| 1 | An advanced university degree (Master's degree or equivalent) in the fields of law, criminology, forensics, public administration, public health, political science, international relations or closely related fields | 200           |
| 2 | A minimum of 5 years of experience in fields related to falsified medical-product related crime  | 200           |
| 3 | Work experience related to combating transnational organized crime in Viet Nam   | 200           |
| 4 | Knowledge of the Vietnamese legal and institutional framework in prevention and response to falsified medical-product related crime.   | 200           |
| 5 | Demonstrated experience in writing legal reviews, handbooks, guidelines and/or analysis in Vietnamese and in English <b>by provision list of relevant written documents</b>  | 200           |
|   | <b>TOTAL</b>   | <b>1000</b>   |

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 affect 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**

|                                     |  |
|-------------------------------------|--|
| <b>POST TITLE:</b>                  | <b>Consultant (Contributing to a study on falsified medical product-related crime in Viet Nam)</b> |
| <b>Organizational Section/Unit:</b> | <b>UNODC</b>   |
| <b>Duty station:</b>                | <b>Home based</b>  |
| <b>Duration:</b>                    | <b>January 2022 – 25 May 2022 (25 days in total)</b>   |
| <b>Type of contract:</b>            | <b>Individual Contract</b>   |

### **1) GENERAL BACKGROUND**

The United Nations Office on Drugs and Crime (UNODC) is a global leader in the fight against illicit drugs and international crime, including terrorism. It is a leading provider of specialized assistance to Governments for addressing the legal, criminal justice and rule of law aspects of counter narcotics, crime prevention and counterterrorism. It operates in all regions of the world through an extensive network of field offices. The UNODC Regional Office for Southeast Asia and the Pacific (ROSEAP), based in Bangkok, has a mandate to cover 11 countries in Southeast Asia and a total of 33 countries across the Pacific region.

In the framework of a Korea-funded project entitled “Strengthening regional cooperation and the capacity of ASEAN countries<sup>1</sup> to counter corruption and other serious crimes (2020-2023)”, UNODC conducts among others gap analyses and national consultations to identify needs for amending and developing laws related to different forms of transnational organized crime, before providing advisory services and technical assistance to States as needed.

In this context, UNODC has recruited an international consultant to draft a study analysing legislative and technical assistance needs to more effectively prevent and combat falsified medical-product related crime in Thailand and Viet Nam. UNODC is now seeking a national consultant to contribute to the roll-out of the study in Viet Nam.

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<sup>1</sup> The Association of Southeast Asian Nations (ASEAN) is composed of Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand and Viet Nam.

## **2) OBJECTIVE OF THE ASSIGNMENT**

The purpose of the assignment is to contribute to the roll-out of a study analysing legislative and technical assistance needs to more effectively prevent and combat falsified medical-product related crime in Viet Nam, for use by UNODC and Vietnamese counterparts. The study will be composed of:

- An analysis of the current legal framework, stakeholders and practices to prevent and combat falsified medical-product related crime in Viet Nam;
- A compilation and analysis of recent case law on falsified medical-product related crime in Viet Nam;
- Recommendations to enhance the prevention, investigation, prosecution and adjudication of falsified medical-product related crime and improve related legislation in Viet Nam.

## **3) SCOPE OF WORK**

Under the direct supervision of the Programme Officer (Criminal Justice), and under the overall guidance of the UNODC Regional Representative for Southeast Asia and the Pacific, the consultant will work in close collaboration with the UNODC project staff to undertake the following activities:

A) Contribute to the roll-out of a study analysing legislative and technical assistance needs to more effectively prevent and combat falsified medical-product related crime in Viet Nam. This will entail:

- Regular coordination with UNODC staff and with the international consultant recruited in the framework of this study;
- Contacts and interviews with relevant Vietnamese counterparts (including videoconference calls as needed);
- Inputs to the analysis of the current legal framework, stakeholders and practices to prevent and combat falsified medical-product related crime in Viet Nam;
- Compilation and analysis of recent case law on falsified medical-product related crime in Viet Nam;
- Recommendations to enhance the prevention, investigation, prosecution and adjudication of falsified medical-product related crime and improve related legislation in Viet Nam;
- Ensuring confidentiality of the documents and information shared.

B) Provide inputs to the review and finalization of the study (taking into account feedback from UNODC and Vietnamese counterparts).

## **4) DURATION OF ASSIGNMENT, DUTY STATION AND EXPECTED PLACES OF TRAVEL**

Twenty five (25) workdays from January 2022 to 25 May 2022.  
Home-based assignment.

*Note: It is understood that the consultant would not hold UNODC responsible for any unforeseen or untoward incident during the duration of the consultancy. It is recommended that the consultant secure his/her own insurance coverage during the conduct of the consultancy.*

## **5) FINAL PRODUCTS**

- 1) Inputs and support are provided to roll out a study analysing legislative and technical assistance needs to more effectively prevent and combat falsified medical-product related crime in Viet Nam.
- 2) Inputs are provided to the review and finalization of the study (taking into account feedback from UNODC and Vietnamese counterparts).

## **6) PROVISION OF MONITORING AND PROGRESS CONTROLS**

The contractor will ensure the quality and timely delivery of all required tasks as provided in the Terms of Reference. All outputs should meet the satisfaction of the supervising officer according to the following criteria:

- Quality of the documents produced
- Technical competence
- Timeliness of the delivery

Payment shall be made upon the satisfactory submission of the relevant output and approval by UNODC.

## **7) DEGREE OF EXPERTISE AND QUALIFICATIONS**

### **Education**

- An advanced university degree (Master's degree or equivalent) in the fields of law, criminology, forensics, public administration, public health, political science, international relations or closely related fields is required.

### **Experience and Skills**

- A minimum of 5 years of experience in fields related to falsified medical-product related crime is required.
- Work experience related to combating transnational organized crime in Viet Nam is desirable.
- Knowledge of the Vietnamese legal and institutional framework in prevention and response to falsified medical-product related crime.
- Demonstrated experience in writing legal reviews, handbooks, guidelines and/or analysis in Vietnamese and in English.

## 8) REVIEW TIME REQUIRED AND PAYMENT TERM

- 1) 1st payment: 50% after inputs and support have been provided to roll out a study analysing legislative and technical assistance needs to more effectively prevent and combat falsified medical-product related crime in Viet Nam.
- 2) 2nd payment: 50% after inputs have been provided to the review and finalization of the study (taking into account feedback from UNODC and Vietnamese counterparts).

## 9) EVALUATION CRITERIA WITH ASSIGNED SCORES

|   | Criteria   | Maximum Point |
|---|--|---------------|
| 1 | An advanced university degree (Master's degree or equivalent) in the fields of law, criminology, forensics, public administration, public health, political science, international relations or closely related fields | 200           |
| 2 | A minimum of 5 years of experience in fields related to falsified medical-product related crime  | 200           |
| 3 | Work experience related to combating transnational organized crime in Viet Nam   | 200           |
| 4 | Knowledge of the Vietnamese legal and institutional framework in prevention and response to falsified medical-product related crime.   | 200           |
| 5 | Demonstrated experience in writing legal reviews, handbooks, guidelines and/or analysis in Vietnamese and in English by provision list of relevant written documents   | 200           |
|   | TOTAL  | 1000          |



## 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 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.

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**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 for local firm (in case your company signs the contract)  |          |           |       |
|     | <b>Total</b>  |          |           |       |

\* 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).