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TERMS OF REFERENCE

March 25, 2022

Project title:	"Towards a Professional and Citizen-Centered Civil Service in Mongolia"
Title of the assignment:	Legal expert
Type of contract:	Local, Individual contract Home based
Contract duration	80 working days Starting from 15 April through 15 December 2022

A. Project Description

The project "Towards a Professional and Citizen-centred Civil Service in Mongolia" ("Project"¹), was approved in February 2018 and will be implemented in 2018-2021, jointly with the Parliament of Mongolia, the Civil Service Council (CSC), the Cabinet Secretariat (CS) and other agencies involved in training of civil servants. The project is funded by the Government of Canada. The project will support the implementation of the civil service reform priorities towards creating a stable, impartial, professional and citizen-centred civil service and their implementation through capacity-building.

The Parliament of Mongolia approved the revision of the Civil Service Law (SCL) in December 2017. The overall aim of the CSL is to strengthen merit-based and performance driven culture and systems in the civil service of Mongolia. It has introduced some new elements in the civil service such as standardization of the civil service, professionalization training specific to each post ranking, with mandatory requirements for career advancement, reform of the examinations based on tests and interviews and with a new content, strategic and business planning in public sector organizations. The new Civil Service Law is effective from January 2019.

The "Vision-2050", a long-term development policy document adopted by the Parliament in May 2020², took stock of developments and lessons learned of past 30 years and outlines development objectives for the next 30 years. Building a citizen-centered, professional, competent, transparent, effective, and smart civil service is one the goals (5.4), and expected outcomes include merit principle to be ingrained in the civil service, career-based promotion system, ethics, continuous learning, and citizens' monitoring of public services. These long-term policy objectives are in line with the principles set-forth in the Civil service law.

The purpose of this consultancy service is to provide legal analysis towards the national effort of strengthening the human resources management in the civil service with strong emphasis on mainstreaming gender considerations in all processes.

B. Scope of Work

- i. Civil service reform strategy to be incorporated into Governance National Target Program:
 - a. Review of the draft strategy document, its overall coherence with related policy documents and the legal acts.

¹ See the project document at www.mn.undp.org

² <https://www.legalinfo.mn/law/details/15406>

- ii. Human resources management and audit
 - a. Review of the draft guideline and procedures, its overall coherence with the CSL and the reform objectives.
 - b. Recommendations on the human resources management legal environment
 - c. Review of the draft standards on HR audit, and its coherence with the other legislation with special consideration to the legal acts governing the state audit.
 - d. Recommendations on the human resources audit processes
- iii. Compensation of damages incurred by the state and monitoring:
 - a. Review of the draft procedure on the compensation of damages incurred by the State and monitoring, and its coherence with the information sharing with other public organizations.
 - b. Recommendations on the compensation of damages incurred by the state and monitoring process
- iv. Policy briefs on key areas of the civil service such as CSC Sub councils on its status, powers, contribution to the reform and on Package professionalization training on effectiveness of the package professionalization training's content, administration, and outcome.

C. Expected Deliverables and Payment Schedule

Payment installments	Deliverables	Due Date
1. 25%	Tasks I	1 June 2022
2. 25%	Tasks II	15 July 2022
3. 25%	Tasks III	15 September 2022
4. 25%	Tasks IV	5 December 2022

D. Institutional Arrangement

The contractor shall report to the Project Manager. During the assignment, the consultant will work closely with the Civil Service Council of Mongolia, Cabinet Secretariat, and on needs basis with the Standing Committee on State Structure.

E. Qualifications of the Successful Individual Contractor

- Master's degree in Law, public policy, public administration, economics, and other related fields.
- At least 10 years of working knowledge of civil service and public administration in Mongolia.
- A proven track record of drafting policy documents.
- Excellent writing skills in Mongolian language.
- Knowledge of English is an advantage.

F. Criteria for Selection of the Best Offer

Criteria for evaluation and selection of the best offer will be the Combined Scoring Method. Technical scores – 70% and will, in turn, include the sum of written test (70%) and interview scores (30%); Finance scores (price offer) - 30%.

Criteria	Weight	Max. Point
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Technical criteria 1: Relevant experience		50
At least 10 years of working knowledge of civil service and public administration in Mongolia.		30
A proven track record of drafting policy documents.		20
Technical criteria 2: Educational background		20
Master's degree in Law, public policy, public administration, economics, and other related fields.		20
Technical criteria 3: Technical proposal		30
A brief proposal describing the methodologies, work plan and timeframe		30
Technical Score	70	100

Documents to be submitted as part of the application:

- **Letter of Confirmation of Interest and Availability** using the template provided by UNDP.
- **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.
- **Brief description** of why the individual considers him/herself as the most suitable for the assignment, and a methodology, if applicable, on how they will approach and complete the assignment.
- **Financial Proposal** that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided.

G. Approval

The ToR is prepared and submitted by:

Name: Khuᠯangoo Purevjav

Designation: Project Manager

Date: 25-Mar-2022

The ToR is approved by:

Name: Barkhas Losolasuren

Designation: PO for Governance Unit

Date: 25-Mar-2022