INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

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

Country: Viet Nam

Description of the assignment: 01 National Consultant (Criminal Justice) working for UNODC

Period of assignment/services (if applicable): May 2022 – 31 December 2022

Duty Station: Homebased, Vietnam

Tender reference: T220403

1. Submissions should be sent by email to: luu.thi.trang@undp.org no later than:
   
   23.59 hrs., 10 May 2022 (Hanoi time)

   With subject line:

   T220403 – 01 National Consultant (Criminal Justice) working for UNODC

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:**

- Signed Curriculum vitae
- Signed Letter to UNDP Confirming Interest and Availability
- A list of relevant written documents
- A list of relevant presentations/training courses delivered.

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:

**A National Consultant**

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Maximum Point</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 An advanced university degree (Master’s degree or equivalent) in law, law enforcement/policing/intelligence, psychology and/or criminology, computer science, international relations or closely related field.</td>
<td>150</td>
</tr>
<tr>
<td>2 Demonstrated knowledge of prosecution related issues.</td>
<td>150</td>
</tr>
<tr>
<td>3 Substantial (at least 15 years) professional experience in law-related work in Viet Nam, particularly in criminal justice field.</td>
<td>150</td>
</tr>
<tr>
<td>4 Working experience as(with law enforcement officer/prosecutor is required. Demonstrable professional experience in delivering counter-cybercrime and/or digital forensic law enforcement operations and/or prosecutions is an asset.</td>
<td>150</td>
</tr>
<tr>
<td>5 Demonstrated experience in developing handbooks or curriculums for the law enforcement or prosecutorial officers in Viet Nam by provision list of relevant written documents.</td>
<td>150</td>
</tr>
<tr>
<td>6 Demonstrated experience in delivering presentations and facilitating training for criminal justice officers by provision list of relevant presentations/training courses delivered.</td>
<td>150</td>
</tr>
<tr>
<td>7 Previous experience with the UN or other international organizations.</td>
<td>100</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1000</td>
</tr>
</tbody>
</table>

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. \( SF = 1000 \times \frac{Fm}{F} \), in which \( SF \) is the financial score, \( Fm \) 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](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 effect 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 in 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.**
1) GENERAL BACKGROUND

The UNODC Regional Office for Southeast Asia and the Pacific (ROSEAP) is seeking a suitably qualified contractor to provide technical expertise in the area of criminal justice, especially with regard to collection and management of electronic evidence in investigation and prosecution of transnational organized crime.

As criminals want to ensure they remain anonymous, they increasingly take advantage of any technology that facilitates this. With the digital revolution and following usage of electronic devices in almost all aspects of life, it became necessary to allow evidence extracted from electronic devices, especially with electronic storage capacity, for use in judicial proceedings. It must be stressed that digital evidence, being usually much easier to manipulate than traditional forms of data, requires great care when handled to be admissible in a court of law. The seizure, custody, control, transfer, analysis and disposition of the digital evidence must be chronologically documented in a proper way.

Practitioners, namely law enforcement officers, prosecutors and judicial authorities, need to understand how to identify, collect, preserve, analyse and disseminate digital evidence. It remains important to develop competence in these areas even as individual governments and regional bodies begin to develop new, additional frameworks through which to obtain electronic records.

UNODC has been working with numerous outstanding counterparts at both national and regional levels in Southeast Asia, and provides technical support for them to conduct more effective investigation and prosecution on cases that are related to corruption, terrorism, human trafficking, combating child sex tourism and violence against women.

As part of UNODC’s efforts to develop capacity for law enforcement and justice officers to prevent and respond to emerging transnational organized crime challenges, UNODC plans to support the Vietnamese government in developing a “Prosecutors’ Manual on the Collection
and Management of Digital Evidence” and delivering a number of training courses for prosecutors on collection and management of digital evidence and prevention and response to cybercrime and information and communication technology related crime.

This activity aims at strengthening the capacities of prosecutors and national competent authorities in identification, collection, acquisition, preservation, transfer, analysis, and dissemination of digital evidence and prevention and response to cybercrime and information and communication technology related crime.

2) OBJECTIVE OF THE ASSIGNMENT

Under the overall supervision of the Crime Prevention and Criminal Justice Officer of UNODC ROSEAP, the contractor will be responsible for developing and finalising “Prosecutors’ Manual on the Collection and Management of Digital Evidence” and conducting 8 training courses for prosecutors on prevention and response to cybercrime and information and communication technology related crime and collection and management of the digital evidence in transnational organized crime cases.

3) SCOPE OF WORK

Under overall guidance and supervision of the Crime Prevention and Criminal Justice Officer of UNODC ROSEAP, the contractor will:

i) Develop the “Prosecutors’ Manual on the Collection and Management of Digital Evidence” (24 days).

ii) Collect feedbacks on the draft manual from prosecutors and experts (3 days).

iii) Review the comments from the prosecutors and experts, and reflect them into the revision of the drafts accordingly (3 days).

iv) Finalise the “Prosecutors’ Manual on the Collection and Management of Digital Evidence” (5 days).

v) Provide training service in provinces for prosecutorial officers on prevention and response to cybercrime and information and communication technology related crime and collection and management of the digital evidence in transnational organized crime cases. Training schedules will be confirmed one week before training course starts (36 days).

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

Seventy two (72) workdays from May 2022 to 31 December 2022, of which thirty six (36) days for development and finalisation of “Prosecutors’ Manual on the Collection and Management of Digital Evidence/ Cybercrime and information and communication technology related crime” and thirty six (36) days for conducting eight (8) training courses.

The duration of each course will be about 4.5 days (2 days for preparation of training plan and 2.5 days for delivery of the service). There will be eight courses to be conducted between 15 May 2022 and 31 December 2022. The consultancy is mainly in Viet Nam.
Perdiem and transport costs will be covered additionally, depending on the training location according to the rate stipulated in UN EU Cost Norms.

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

- Final “Prosecutors’ Manual on the Collection and Management of Digital Evidence/ Cybercrime and information and communication technology related crime”.
- The services, i.e. training satisfactorily delivered by the selected individual contractor.

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 Crime Prevention and Criminal Justice 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 law, law enforcement/policing/intelligence, psychology and/or criminology, computer science, international relations or closely related field is required.

Experience and Skills
- Demonstrated knowledge of prosecution related issues is required.
- Substantial (at least 15 years) professional experience in law-related work in Viet Nam, particularly in criminal justice field is required.
- Working experience as/with law enforcement officer/prosecutor is required. Demonstrable professional experience in delivering counter-cybercrime and/or digital forensic law enforcement operations and/or prosecutions is an asset.
- Demonstrated experience in developing handbooks or curriculums for the law enforcement or prosecutorial officers in Viet Nam.
- Demonstrated experience in delivering presentations and facilitating training for
criminal justice officers
• Previous experience with the UN or other international organizations is considered an advantage

8) REVIEW TIME REQUIRED AND PAYMENT TERM

- 1st payment: 30% after submission of the draft toolkit “Prosecutors’ Manual on the Collection and Management of Digital Evidence/ Cybercrime and information and communication technology related crime”.
- 2nd payment: 20% after submission of the final toolkit “Prosecutors’ Manual on the Collection and Management of Digital Evidence/ Cybercrime and information and communication technology related crime”.
- 3rd payment: 50% after completion of 8 training courses as decided by UNODC.

9) EVALUATION CRITERIA WITH ASSIGNED SCORES

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Maximum Point</th>
</tr>
</thead>
<tbody>
<tr>
<td>An advanced university degree (Master’s degree or equivalent) in law, law enforcement/policing/intelligence, psychology and/or criminology, computer science, international relations or closely related field.</td>
<td>150</td>
</tr>
<tr>
<td>Demonstrated knowledge of prosecution related issues.</td>
<td>150</td>
</tr>
<tr>
<td>Substantial (at least 15 years) professional experience in law-related work in Viet Nam, particularly in criminal justice field.</td>
<td>150</td>
</tr>
<tr>
<td>Working experience as/with law enforcement officer/prosecutor is required.</td>
<td>100</td>
</tr>
<tr>
<td>Demonstrable professional experience in delivering counter-cybercrime and/or digital forensic law enforcement operations and/or prosecutions is an asset.</td>
<td>50</td>
</tr>
<tr>
<td>Demonstrated experience in developing handbooks or curriculums for the law enforcement or prosecutorial officers in Viet Nam by provision list of relevant written documents.</td>
<td>150</td>
</tr>
<tr>
<td>Demonstrated experience in delivering presentations and facilitating training for criminal justice officers by provision list of relevant presentations/training courses delivered.</td>
<td>150</td>
</tr>
<tr>
<td>Previous experience with the UN or other international organizations.</td>
<td>100</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1000</td>
</tr>
</tbody>
</table>
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 I;

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:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Contract Type</th>
<th>UNDP Business Unit / Name of Institution/Company</th>
<th>Contract Duration</th>
<th>Contract Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

☐ I am also anticipating conclusion of the following work from UNDP and/or other entities for which I have submitted a proposal:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Contract Type</th>
<th>Name of Institution/Company</th>
<th>Contract Duration</th>
<th>Contract Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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:

<table>
<thead>
<tr>
<th>Name</th>
<th>Relationship</th>
<th>Name of International Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Full Name</th>
<th>Full Address</th>
<th>Business or Occupation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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, Processional 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).

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Quantity</th>
<th>Unit Rate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Consultancy fee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Out of pocket expenses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1</td>
<td>Travel</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.2</td>
<td>Per diem</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.3</td>
<td>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). *</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.4</td>
<td>Others (pls. specify)…….</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.5</td>
<td>VAT** if applicable for local firm (in case your company signs the contract)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total

* 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).*