



REQUEST FOR PROPOSAL (RFP) (UNDP-RFP-2022-302)

02 September 2022
Ref # UNDP-RFP-2022-302

Dear Sir / Madam:

We kindly request you to submit your **proposal to conduct a national study on existing Alternative Dispute Resolution mechanisms in Pakistan**

Your proposal should be submitted through e-Tendering online system by or before the deadline of **19th September 2022 at 03:00 PM PST OR 06:00 AM EDT** indicated in <https://etendering.partneragencies.org>.

Detailed instructions on how to register, submit, modify or cancel a bid in the e-Tendering system are provided in the eTendering system Bidder User Guide and Instructional videos available on this [link: http://www.undp.org/content/undp/en/home/operations/procurement/business/procurement-notice/resources/](http://www.undp.org/content/undp/en/home/operations/procurement/business/procurement-notice/resources/)

Your Proposal must be expressed in the English, and valid for a minimum period of 90 days.

You are kindly requested to indicate whether your company intends to submit a Proposal by clicking on "Accept Invitation" button no later than **Friday 9th September 2022 [12:30 PM Pakistan Standard Time OR 3:30 AM EDT]**. If that is not the case, UNDP would appreciate your indicating the reason, for our records.

In the course of preparing your Proposal, it shall remain your responsibility to ensure that it is submitted through the e-Tendering system on or before the deadline. Proposals that are received by UNDP after the deadline indicated above, for whatever reason, shall not be considered for evaluation. If there is requirement of any clarification related to this RFP, kindly send queries to pakistan.procurement.info@undp.org.

Services proposed shall be reviewed and evaluated based on completeness and compliance of the Proposal and responsiveness with the requirements of the RFP and all other annexes providing details of UNDP requirements.

The Proposal that complies with all of the requirements, meets all the evaluation criteria and offers the best value for money shall be selected and awarded the contract. Any offer that does not

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meet the requirements shall be rejected. Any discrepancy between the unit price and the total price shall be re-computed by UNDP, and the unit price shall prevail and the total price shall be corrected. If the Service Provider does not accept the final price based on UNDP's re-computation and correction of errors, its Proposal will be rejected.

No price variation due to escalation, inflation, fluctuation in exchange rates, or any other market factors shall be accepted by UNDP after it has received the Proposal. At the time of Award of Contract or Purchase Order, UNDP reserves the right to vary (increase or decrease) the quantity of services and/or goods, by up to a maximum twenty five per cent (25%) of the total offer, without any change in the unit price or other terms and conditions.

Any Contract or Purchase Order that will be issued as a result of this RFP shall be subject to the General Terms and Conditions attached hereto. The mere act of submission of a Proposal implies that the Service Provider accepts without question the General Terms and Conditions of UNDP, herein attached as Annex 4.

Please be advised that UNDP is not bound to accept any Proposal, nor award a contract or Purchase Order, nor be responsible for any costs associated with a Service Providers preparation and submission of a Proposal, regardless of the outcome or the manner of conducting the selection process.

UNDP's vendor protest procedure is intended to afford an opportunity to appeal for persons or firms not awarded a Purchase Order or Contract in a competitive procurement process. In the event that you believe you have not been fairly treated, you can find detailed information about vendor protest procedures in the following link:

<http://www.undp.org/content/undp/en/home/operations/procurement/protestandsanctions/>

UNDP encourages every prospective Service Provider to prevent and avoid conflicts of interest, by disclosing to UNDP if you, or any of your affiliates or personnel, were involved in the preparation of the requirements, design, cost estimates, and other information used in this RFP.


UNDP implements a zero tolerance on fraud and other proscribed practices, and is committed to preventing, identifying and addressing all such acts and practices against UNDP, as well as third parties involved in UNDP activities. UNDP expects its Service Providers to adhere to the UN Supplier Code of Conduct found in this link:

http://www.un.org/depts/ptd/pdf/conduct_english.pdf

Thank you and we look forward to receiving your Proposal.

Sincerely yours,

For

DocuSigned by:

E18DDE0A21E049C...

01-Sep-2022

Knut Ostby
Resident Representative

DocuSigned by:

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01-Sep-2022

DocuSigned by:

E238E816CA2E4A8...
01-Sep-2022

Annex 1**Description of Requirements**

Context of the Requirement	RFP - to hire Research firm to conduct a national study on existing Alternative Dispute Resolution mechanisms in Pakistan
Brief Description of the Required Services ¹	Please see Annex 4 the ToR (Term of Reference) for the description of the required services.
List and Description of Expected Outputs to be Delivered	As per deliverables of TOR
Person to Supervise the Work/Performance of the Service Provider	Monitoring Specialist, Aman-O-Insaf Programme, UNDP
Frequency of Reporting	As mentioned in TORs
Progress Reporting Requirements	The Final Report of the assignment shall have to be submitted within 05 days upon completion of activity(s).
Location of work	Homebased and All over Pakistan
Pre-proposal conference will be held on:	N/A
Expected duration of work	4 Months
Target start date	November 01, 2022
Latest completion date	February 28, 2023
Travels Expected	As per requirements
Special Security Requirements	<input checked="" type="checkbox"/> Note: UNDP will not be liable to provide the security to the selected firm and it is the responsibility of the selected firm to arrange the security of its employees.
Facilities to be Provided by UNDP (i.e., must be excluded from Price Proposal)	Report to the UNDP on deliverable basis. Submit all the deliverables to the Programme Manager UNDP AOI or his designate. Visit the UNDP office (Peshawar) on needs-based basis; and Be allowed to use the space provided by UNDP for meetings (if needed)
Implementation Schedule indicating breakdown and	<input checked="" type="checkbox"/> Required

¹ A detailed TOR may be attached if the information listed in this Annex is not sufficient to fully describe the nature of the work and other details of the requirements.

timing of activities/sub-activities							
Names and curriculum vitae of individuals who will be involved in completing the services	<input checked="" type="checkbox"/> Required						
Currency of Proposal	<input checked="" type="checkbox"/> Local Currency [PAK RUPEES]						
Value Added Tax on Price Proposal	<p><input checked="" type="checkbox"/> must be inclusive of VAT and other applicable indirect taxes (the invoice submitted should indicate the price and tax portion separately).</p> <p>Further, United Nations, including its subsidiary organs, is exempt from all direct taxes, except charges for public utility services, and is exempt from customs duties and charges of a similar nature in respect of articles imported or exported for its official use.</p> <p>In the event any governmental authority refuses to recognize the United Nations exemption from such taxes, duties or charges, the Contractor shall immediately consult with the UNDP to determine a mutually acceptable procedure.</p>						
Validity Period of Proposals (<i>Counting for the last day of submission of quotes</i>)	<p><input checked="" type="checkbox"/> 90 days</p> <p>In exceptional circumstances, UNDP may request the Proposer to extend the validity of the Proposal beyond what has been initially indicated in this RFP. The Proposal shall then confirm the extension in writing, without any modification whatsoever on the Proposal.</p>						
Partial Quotes	<input checked="" type="checkbox"/> Not permitted						
Payment Terms	<p>Deliverables and Payment Schedule</p> <p>The payment is linked with achievements of the below-mentioned deliverables and shall be released upon satisfactory completion of each deliverable report certified by UNDP.</p> <table border="1"> <thead> <tr> <th>Outputs</th><th>Percentage</th><th>Condition for Payment Release</th></tr> </thead> <tbody> <tr> <td> Deliverable 1: Develop an inception report including a workplan, methodology and literature review. Upon submission and approval of an inception report including a workplan; methodology, research instruments, literature review, list of interviewee </td><td>25%</td><td> Within thirty (30) days from the date of meeting the following conditions: a) UNDP's written acceptance (i.e., not mere receipt) of the quality of the outputs; and </td></tr> </tbody> </table>	Outputs	Percentage	Condition for Payment Release	Deliverable 1: Develop an inception report including a workplan, methodology and literature review. Upon submission and approval of an inception report including a workplan; methodology, research instruments, literature review, list of interviewee	25%	Within thirty (30) days from the date of meeting the following conditions: a) UNDP's written acceptance (i.e., not mere receipt) of the quality of the outputs; and
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	and quality assurance plan for data collection.		b) Receipt of invoice from the Service Provider.
	Deliverable 2: Completion of data collection and stakeholder engagements Upon Submission of consolidated and cleaned quantitative data in excel, transcribed, and cleaned interview data from KIIs and FGDs. Documentary evidence of the data collection process, pictures, videos of the interviews etc.	20%	
	Deliverable 3: Submission of the initial draft of the research report - Agree with UNDP the structure and design of the report and provide a skeleton report outline to UNDP for review and approval. Upon submission of draft report for review of UNDP.	30%	
	Deliverable 4: Submission of final draft of the research report and policy brief Upon submission of the final draft of the research report, power point slides of the key findings and policy brief after incorporating comments/suggestions from UNDP.	25%	
Person(s) to review/inspect/ approve outputs/completed services and authorize the disbursement of payment	Programme Manager, Amn-O-Insaf Programme, UNDP		
Type of Contract to be Signed	<input checked="" type="checkbox"/> Contract for Institutional Services <input checked="" type="checkbox"/> Purchase Order		
Criteria for Contract Award	<input checked="" type="checkbox"/> Highest Combined Score (based on the 70% technical offer and 30% price weight distribution)		

	<input checked="" type="checkbox"/> Full acceptance of the UNDP Contract General Terms and Conditions (GTC). This is a mandatory criteria and cannot be deleted regardless of the nature of services required. Non acceptance of the GTC may be grounds for the rejection of the Proposal.																																
Criteria for the Assessment of Proposal	<p>The award of the contract shall be made to the Evaluation firm whose offer has been evaluated and determined as:</p> <p>a) Responsive/compliant/acceptable, and b) Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation. 70%-30%.</p> <p>Only candidates obtaining a minimum of 70% of the total technical points would be considered for the Financial Evaluation.</p> <p><u>Technical Proposal (70%)</u></p> <p><input checked="" type="checkbox"/> Expertise of the Firm 31% with 215 Marks out of 700 <input checked="" type="checkbox"/> Methodology, Its Appropriateness to the Condition and Timeliness of the Implementation Plan 45% with 315 marks out of 700 <input checked="" type="checkbox"/> Management Structure and Qualification of Key Personnel 24% with 170 marks out of 700</p> <p><u>Financial Proposal (30%)</u></p> <p>To be computed as a ratio of the Proposal's offer to the lowest price among the proposals received by UNDP.</p> <table border="1"> <thead> <tr> <th colspan="2">Summary of Technical Proposal Evaluation Forms</th><th>Score Weight</th><th>Points Obtainable</th></tr> </thead> <tbody> <tr> <td>1</td><td>Expertise of Firm / Organization</td><td>31%</td><td>215</td></tr> <tr> <td>2.</td><td>Proposed Methodology, Approach and Implementation Plan</td><td>45%</td><td>315</td></tr> <tr> <td>3.</td><td>Management Structure and Key Personnel</td><td>24%</td><td>170</td></tr> <tr> <td colspan="3">Total</td><td>700</td></tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="2">Technical Proposal Evaluation-Form 1</th><th>Maximum Points obtainable</th></tr> </thead> <tbody> <tr> <td colspan="3">Expertise of Firm/Organization</td></tr> <tr> <td>1.1</td><td>Demonstrated experience of 5 years in conducting research, evaluation studies and situation and context analysis at national or international level. Similar experience in Pakistan will be an advantage. Zero marks for firm that possess below 5 years experience</td><td>50</td></tr> <tr> <td>1.2</td><td>Minimum 2 years of research experience in at least one of the following thematic areas: ADR, legal aid, access to</td><td>35</td></tr> </tbody> </table>	Summary of Technical Proposal Evaluation Forms		Score Weight	Points Obtainable	1	Expertise of Firm / Organization	31%	215	2.	Proposed Methodology, Approach and Implementation Plan	45%	315	3.	Management Structure and Key Personnel	24%	170	Total			700	Technical Proposal Evaluation-Form 1		Maximum Points obtainable	Expertise of Firm/Organization			1.1	Demonstrated experience of 5 years in conducting research, evaluation studies and situation and context analysis at national or international level. Similar experience in Pakistan will be an advantage. Zero marks for firm that possess below 5 years experience	50	1.2	Minimum 2 years of research experience in at least one of the following thematic areas: ADR, legal aid, access to	35
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	justice, institutions, and law (including focus on gender and marginalized groups)	
1.3	Provide three references of similar courses being developed. Each reference carries 20 marks	60
1.4	Financial stability last three years Audited Account. Average Annual Turn Over for three years should be equivalent to PKR 10 million For Joint Venture the average combined turnover should be equal or greater than PKR 20 million	50
1.5	Has the firm have enough experts at least 01 quantitative and 01 qualitative researcher in above to conduct the multiple courses simultaneously?	20
Total 1		215

Technical Proposal Evaluation- FORM 2		Maximum Points Obtainable
Proposed Methodology, Approach, Tools and Implementation Plan		
2.1	To what degree does the firm understand the intended task; the objectives, methodology, the deliverables, intended activities and the context within which the systems are being implemented?	80
2.2	Has the firm proposed to implement entire scope of the work?	40
2.3	Has the firm proposed to implement all the proposed courses development simultaneously? How Mush Realistic is the Time Frame?	60
2.4	Presentation and Workplan: Is the presentation clear and are the sequence of activities and the planning logical, realistic and promise efficient implementation of the systems	55
2.5	Risk Management plan: Has the firm identified the associated Risks and provided Risks Management Plan?	40
2.6	Training Plan: Has the firm provided Training Plan? How Comprehensive is it?	40
Total 2		315

FORM # 3		Maximum Points Obtainable
Technical Proposal Evaluation		
Management Structure and Key Personnel (Names and curriculum vitae of individuals who will be involved in completing the services)		
3.1	Team Leader (Qty 01)	
	General Qualification and Suitability for the Project	

	University degree or specialized diploma or equivalent ten years of professional experience in subjects related to law, peace, justice, and security, and/ or conflict studies, strategy/risk management or other relevant subject areas.	10
	Minimum 10 years professional experience in research, assessment and evaluation in development, rule of law, justice, and legal aid.	15
	Minimum 10 years' experience in the rule of law, informal justice mechanisms or law enforcement	10
	Subject matter expertise in gender is essential. Experience in gender responsive criminal justice systems and ADR will be an asset.	3
	In-depth understanding of and experience working on alternative dispute resolution mechanisms is essential	2
	Fluency (oral and written) in English.	4
	Proficiency in Urdu will be an added advantage.	1
	Sub-Total	45
3.2	Quantitative Expert (Qty 01)	
	University degree in political science / Social Science/ law / criminology or other relevant subject areas.	10
	Minimum 5 years of experience in conducting quantitative research, designing large scale HH survey, impact evaluations and report writing	13
	Understanding of statistical tools including STATA and SPSS will be an asset.	5
	Expertise in gender and gender disaggregated statistic is essential.	5
	Must possess excellent English analytical and writing skills with hands on experience in report writing	5
	Fluency (oral and written) in English.	3
	Proficiency in Urdu will be an added advantage	1
	Sub-Total	42
3.3	Qualitative Expert (Qty 01)	
	University degree in anthropology/political science / Social Science/ law / criminology or other relevant subject areas.	10
	Minimum 5 years of experience in conducting qualitative research in the rule of law sector including emphasis on gender responsiveness.	13
	Understanding of qualitative research methodologies including ethnography, case study, scoping interviews, FGDs and KII's will be an asset	10
	Must possess excellent English analytical and writing skills with hands on experience in report writing	5
	Fluency (oral and written) in English.	3
	Proficiency in Urdu will be an added advantage	1

	Sub-Total	42
	3.4 Legal/Law Expert (Qty 01)	
	University degree in law, LLM or LLB, policing, criminology, peace, justice, and security, and/ or conflict studies, strategy/risk management or other relevant subject areas.	10
	Minimum 10 years professional experience in rule of law, alternative dispute resolution, justice and security sector including focus on gender and marginalized groups.	12
	Over 5 years professional experience of conducting research quantitative or qualitative and report writing	10
	Must possess excellent English analytical and report writing skills.	5
	Fluency (oral and written) in English.	3
	Proficiency in Urdu will be an added advantage.	1
	Sub-Total	41
	Total 3	170
UNDP will award the contract to:	<input checked="" type="checkbox"/> One and only one Service Provider	
Annexes to this RFP	<input checked="" type="checkbox"/> Form for Submission of Proposal (Annex 2) <input checked="" type="checkbox"/> Form for Submission of Financial Proposal (Aneex 3) <input checked="" type="checkbox"/> General Terms and Conditions / Special Conditions (Annex 4) <input checked="" type="checkbox"/> Detailed TOR (<i>Annex 5</i>) <input checked="" type="checkbox"/> Standard CV Template (<i>Annex 6</i>)	
Contact Person for Inquiries (Written inquiries only)	<p><i>Aman Khan</i> <i>Procurement Officer</i> pakistan.procurement.info@undp.org</p> <p>Any delay in UNDP's response shall be not used as a reason for extending the deadline for submission, unless UNDP determines that such an extension is necessary and communicates a new deadline to the Proposers.</p>	
Joint Venture	<input checked="" type="checkbox"/> ALLOWED.	

Other Information
[pls. specify]

Minimum Qualifying Criteria

- ☒ Technical and Financial proposals should be submitted as separate PDF files. Financial Proposal must be password protected. Technical proposal should be inclusive of Brief Methodology and Work Plan for implantation of activities.
- ☒ Profile of the company/firm along with details of employee, CVs of key professionals and available facilities/expertise and Organizational Organogram ;
- ☒ Valid Certificate of Registration of the Firm/organizations with SECP, Registrar of Firms or FBR in the name of the firm;
- ☒ Latest Audited Financial Statements (Income Statement and Balance Sheet) including Auditor's Report for the past three (03) Years (2018-19, 2019-20 & 2020-21);
- ☒ Minimum Three (03) relevant Contracts/Purchase Order/Work Orders of work in last 10 (ten) years undertaken with National/Multinational Organizations (Provide proof of service with name of the organization and amount of contract).
- ☒ Provide three (03) satisfactory performance certificates along with the duration of each assignment Minimum Three (03) relevant Contracts/Purchase Order/Work Orders of work undertaken with National/Multinational Organizations (Provide proof of service with name of the organization and amount of contract).
- ☒ All information regarding any past and current litigation during the last Three (03) years, in which the bidder is involved, indicating the parties concerned, the subject of the litigation, the amounts involved, and the final resolution if already concluded.
- ☒ CVs of all the 4 personnel that will be assigned to this job.

Name of Funding Organization	Period of Contract	Type of Services Provided/Product delivered	Value of Contract	Location (Country /Region)	Year of Implementation

Deadline for Submission	<p>19 September 2022 (03:00 PM Pakistan standard Time or 06:00 AM EST)</p> <p>Please note:</p> <p>Date and time visible on the main screen of event (on e-tendering portal) will be final and prevail over any other closing time indicated elsewhere, in case they are different. Please also note that the bid closing time shown in the PDF file generated by the system is not accurate due to a technical glitch that we will resolve soon. The correct bid closing time is as indicated in the e-tendering portal and system will not accept any bid after that time. It is the responsibility of the bidder to make sure bids are submitted within this deadline. UNDP will not accept any bid that is not submitted directly in the system.</p> <p>Try to submit your bid a day prior or well before the closing time. Do not wait until last minute. If you face any issue in submitting your bid at the last minute, UNDP may not be able to assist.</p>
Electronic submission (eTendering) requirements	<p>Technical and financial proposals should be submitted in separate PDF files File names must be maximum 60 characters long and must not contain any letter or special character other than from Latin alphabet/keyboard. All files must be free of viruses and not corrupted. Password for financial proposal must not be provided to UNDP until requested by UNDP (see notes below)</p> <p>Important Notes for financial proposal:</p> <p>The proposer is required to prepare and submit the financial proposal in a password protected PDF file separate from the rest of the proposal submission as indicated in the instructions to proposers.</p> <p>Password for financial proposal must not be provided to UNDP until it is formally requested by UNDP focal point indicated below: aman.khan@undp.org</p> <p><i>While entering financial proposal in the e-tendering system, always mention your bid price as PKR 1. Please do not mention the value of your financial proposal in the e-tendering system. It should only be mentioned in the password protected file/ attachment of financial proposal. The proposals of those organizations who would reveal their financial proposal value in the e-tendering system will be considered as disqualified.</i></p>

TERMS OF REFERENCE

Research firm to conduct a national study on existing Alternative Dispute Resolution mechanisms in Pakistan

1. Background:

UNDP has extensive experience in strategically advising and supporting governments to strengthen their security and justice sectors.

UNDP Rule of Law Programme in Pakistan is working to strengthen security and justice sector governance with emphasis on equal access to justice particularly for women and marginalised groups. Working in close collaboration with government rule of law and justice sector institutions, the Programme aims to enhance and sustain long-term peace and stability in Pakistan.

Under this broader Programme, with generous funding from the European Union (EU) UNDP is implementing a multi-year project to improve the rule of law and advance equal access to justice particularly for women and marginalized groups in Khyber Pakhtunkhwa (KP) including the newly merged districts (NMDs), Balochistan, and Islamabad Capital Territory (ICT). UNDP's key project implementing partners are UN Women, UNODC, and a range of rule of law/justice government institutions and interlocutors in the target locations.

The Project has three specific objectives:

- 1) Support reform processes to ensure delivery of people-centered justice.
- 2) Enhance access to justice for all, particularly women and less privileged groups.
- 3) Improve service delivery of the security sector in line with constitutional safeguards and international standards.

Alternative dispute resolution (ADR) is a key work strand of the project. Traditional dispute resolution mechanisms are prevalent throughout Pakistan including Jirga in Pashtun areas and Panchayat in Punjab. These traditional dispute resolution mechanisms have been widely criticized by rule of law experts and justice stakeholders for their insensitivity towards women and other marginalized groups.

There are also legislatively endorsed ADR mechanisms including in the Arbitration Act 1940, Code of Civil Procedure 1908 (CPC) (section 89-A), West Pakistan Family Courts Act 1964 (section 10), Federal ADR Act 2017, Punjab ADR Act 2019, Sindh Act IV of 2019, KP ADR Act 2020, and under the KP Police Act 2017. Some of these ADR provisions are functional whereas others are not.

During recent years, the Pakistan judiciary and government have shown great interest in ADR - acknowledging its vital role in strengthening access to justice and the rule of law in Pakistan. The National Judicial Policy 2009² advises judicial officers to exercise legal provisions for court-annexed ADR for expeditious resolution of disputes. Similarly, the 8th Judicial Conference also acknowledged the various forms of ADR as an important part of the justice system. Following this, steps have been taken to develop

² <http://ljcp.gov.pk/nljcp/assets/dist/NJP/njp.pdf>

rules to implement the court-annexed ADR provisions. Similarly, the federal and provincial governments have also enacted laws to reform and strengthen statutory ADR forums.

From 2007-2012 UNDP together with provincial governments attempted to implement the ADR sections of the *Local Government Ordinance 2001* governing community-based dispute resolution called *Musalihati Anjuman* in Balochistan, Sindh and Punjab and *Musalihati Jirga* in KP. The *Local Government Laws 2011* and *Rules of 2006* also provided for referral to formal courts. The *Local Government Ordinance 2011* was repealed by Sindh, KP and Punjab. Balochistan also repealed the *Ordinance* but retained *Musalihati-Anjuman* in its new *Local Government Act* with some changes to the structure of the ADR forums. Section 89-A of the CPC also provides for ADR, more similar in structure to court-annexed mediation. In Punjab, the Lahore High Court has taken steps to operationalize section 89-A of the CPC by establishing ADR Centers at the district level. Balochistan is also planning to operationalize section 89-A of the CPC. In KP, whilst section 89A of the CPC has been repealed, dispute resolution councils (DRCs) are becoming operational in every district. UNDP is supporting the KP Police to develop rules of business for the DRCs to make them gender responsive, transparent and impartial.

There is a need to harmonize the various ADR mechanisms being introduced in different parts of Pakistan by the judiciary and governments. To do so, and to establish effective ADR fora, UNDP is commissioning a study of existing ADR practices, legal provisions, and reform initiatives. The main objective of the planned study is to understand the current dynamics and develop policy guidelines and recommendations for reform.

Objectives of the Study

- To understand the current dynamics, local contexts and various mechanisms for ADR in Pakistan (Punjab, Khyber Pakhtunkhwa, Balochistan and Sindh) including Gilgit Baltistan and Azad Jammu and Kashmir.
- To review the existing legal provisions and frameworks including compliance of ADR mechanisms with international human rights, ADR standards and human rights provisions of the constitution of Pakistan.
- To identify gaps in the laws and rules for ADR in relation to gender responsiveness, representation of women, transgenders, and minorities.
- To understand the barriers and opportunities to expanding ADR in Pakistan including:
 - for women, children, people living with disabilities, minorities, transgender and other vulnerable groups (demand side); and
 - in civil and criminal law cases and at different stages of the justice process (supply side)
- To assess the effectiveness of ADR forums in terms of cost, disposal of disputes (timeliness), inclusion of women and minorities, and gender responsiveness of agreements.
- To provide policy recommendations for reforming and strengthening ADR mechanisms in Pakistan including model rules for court-annexed ADR and statutory ADR forums.

2. Methodology of the Study

A mixed methodology of quantitative and qualitative components is recommended.

The quantitative component should involve identification, mapping, review and analysis of administrative quantitative data in possession of relevant ADR institutions/forums. Based on the research questions and objectives, the selected firm will be required to rationalize, in consultation with UNDP, variables to focus on at the time of presenting the quantitative data set for analysis.

The qualitative component should include stakeholder consultations, Key Informant Interviews (KIIs) and Focused Group Discussions (FGDs), observations of key ADR fora, selected number of case studies and in-depth interviews with women and other ADR users. The analysis will also involve detailed literature and document review on informal justice institutions and socio-political contexts or the political economy within which these institutions operate. The desk review will cover, inter alia, national policy documents i.e federal and provincial laws and acts relating to ADR and access to justice and legal aid and overall programming frameworks which give an overall picture of the country context.

The findings of the study will inform future programming and reform initiatives on support to informal dispute resolution/access to justice for all particularly to improve representation of women, and enhancing their accountability.

The firm must include a detailed proposed sampling methodology in the proposal. Note that the final sample size and sample frame for the study must jointly agreed by UNDP and the selected firm.

3. Scope of work:

UNDP therefore has identified the requirement to hire a qualified firm/ organization to design and undertake the above-mentioned Study.

The selected firm/ organization will be responsible the following outputs, in close partnership with UNDP:

a) Develop an inception report including a workplan, study methodology and literature review:

- Develop a comprehensive deliverable-based workplan for the study clearly reflecting all the processes and steps involved in the research process.
- Submit a literature review including review of laws and national policy documents, studies relating ADR and access to the ADR forums, and overall programming frameworks which reveal the country context (including a bibliography in standard academic format (MLA, Harvard, Chicago, etc.)
- Share a clear methodology, research design, approach, and list researchers for review and approval of UNDP and other stakeholders above.
- Provide a complete set of quantitative and qualitative research instruments including KIIs and FGDs, (English and final translated version in Urdu), field/logistic plans, and training material for the researcher
- Provide the list of interviewee with detail field plan for data collection
- Provide detailed data quality assurance plan in conduct of FGD's, KII's, case studies and observational analysis

Present its research design, methodology, sampling (including calculated sampling error), and research tools in a forum organized by UNDP to obtain inputs of the partner organizations and donor.

b) Data collection and stakeholder engagement

- Conduct 12 FGDs, 90 KIs, 12 case studies of ADR beneficiaries, 06 observational analysis of ADR forums and the secondary data on the number of cases settled by ADR forums in all the provinces of Pakistan
- Submit consolidated and cleaned quantitative data in excel, transcribed and cleaned qualitative interview data from KIs and FGDs (ensure gender representative KIs and FGDs), case studies, in-depth interviews, meeting minutes of the stakeholder consultation, and researcher reflections during the data collection.
- Provide documentary evidence of the data collection process including pictures, videos of the interviews etc.

c) Submission of the initial draft of the research report for review

- Agree with UNDP the structure and design of the report and provide a skeleton report outline to UNDP for review and approval.
- Submit a draft report to UNDP for review.

d) Submission of the final report with a policy brief

- Incorporate comments and inputs from UNDP and stakeholders and revise report.
- Submit the final draft of the research study to UNDP.
- Provide a power point presentation of key findings.
- Submit a brief policy document including recommendations for future programming based on key findings of the final draft.

Through UNDP, the selected firm will closely coordinate with the Law and Justice Commission of Pakistan (LJCP), Legal Aid and Justice Authority (LAJA), UN WOMEN, UNODC and other organizations.

3. Expected outputs and deliverables:

Under the overall supervision of UNDP Rule of Law Programme Manager, the selected firm is expected to deliver the following outputs/ deliverables.

Deliverables/ Outputs	Estimated Time- line	Location/s
<ul style="list-style-type: none"> • Develop an inception report including a workplan, methodology and literature review. • Develop a comprehensive deliverable-based workplan for the study clearly reflecting all the processes and steps involved in the research process. • Submit a literature review including review of laws and national policy documents, studies relating ADR and access to the ADR forums, and overall programming frameworks which reveal the country context (including a bibliography in standard academic format (MLA, Harvard, Chicago, etc.) • Share a clear methodology, research design, approach, the list of researcher for 	01 Nov 2022 – 15 Nov 2022	Home based

<p>review and approval of UNDP and other stakeholders above.</p> <ul style="list-style-type: none"> • Provide a complete set of quantitative and qualitative research instruments including KIIs and FGDs, (English and final translated version in Urdu), field/logistic plans, and training material for the researcher • Provide detail data quality assurance plan in conduct of FGD's, KII's, case studies and observational analysis • Present its research design, methodology, sampling (including calculated sampling error), and research tools in a forum organized by UNDP to obtain inputs of the partner organizations and donor. • Data collection and stakeholders' engagements • Conduct 12 FGDs, 90 KIIs, 12 case studies of ADR beneficiaries, 06 observational analysis of ADR forums and the secondary data on the number of cases settled by ADR forums in all the provinces of Pakistan • Submit consolidated and cleaned quantitative data in excel, transcribed and cleaned interview data from KIIs and FGDs, meeting minutes of the stakeholder engagements, and researcher reflections during the data collection. • Provide documentary evidence of the data collection process including pictures, videos of the interviews etc. • Submission of the initial draft of the research report for review • Agree with UNDP the structure and design of the report and provide a skeleton report outline to UNDP for review and approval. • Submit a draft report to UNDP for review. • Submission of the final report with a policy brief 	<p>16 Nov 2022 – 30 Dec 2022</p> <p>01 Jan 2022 – 14 Feb 2023</p> <p>15 Feb 2023 – 28 Feb 2023</p>	<p>Field work / all over Pakistan</p> <p>Home based</p> <p>Home based</p>
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<ul style="list-style-type: none"> • Incorporate comments and inputs from UNDP and stakeholders and revise report. • Submit the final draft of the research study to UNDP. • Provide a power point presentation of key findings. • Submit a brief policy document including recommendations for future programming based on key findings of the final draft. 		
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The selected firm and its team of experts are required to be available to attend remote/ virtual meetings / discussions via skype/ zoom or other relevant modality for planning meetings/ feedback meetings convened by the Monitoring and Evaluation Specialist and the senior management of UNDP.

4. Key Performance Indicators during implementation of deliverables will include the following:

- Provision of clear and comprehensive deliverables specified above.
- Timely completion of deliverables.
- Appropriate and regular coordination with all relevant stakeholders.
- Incorporation of feedback.
- Excellent communication skills both written and verbal in English.
- Good team player as well as the ability to work on its own initiative.

5. Reporting:

The selected firm will report directly to the Rule of Law M&E Specialist (on a day-to-day basis).

6. Time Frame:

The outputs/ deliverables and activities in this TOR must be implemented within a period of four months. Expected start date 01 November 2022 and end date 28 February 2023.

7. The Schedule and Method of Payment

The payments will be made upon satisfactory completion of the deliverables outlined in the table above (i.e. Section 6) and, upon the submission and acceptance of each deliverable/ output.

The payments will be made in four instalments subject to UNDP procurement procedures.

Payment %	Deliverables/ outputs
First payment 25% of the total amount	Deliverable 1: Develop an inception report including a workplan, methodology and literature review. <ul style="list-style-type: none"> - Upon submission and approval of an inception report including a workplan; methodology, research instruments, literature review, list of interviewee and quality assurance plan for data collection.
Second payment 20% of the total amount	Deliverable 2: Completion of data collection and stakeholder engagements <ul style="list-style-type: none"> - Upon Submission of consolidated and cleaned quantitative data in excel, transcribed, and cleaned interview data from KIs and FGDs. Documentary

	evidence of the data collection process, pictures, videos of the interviews etc.
Third payment of 30% of the total amount	Deliverable 3: Submission of the initial draft of the research report <ul style="list-style-type: none"> - Agree with UNDP the structure and design of the report and provide a skeleton report outline to UNDP for review and approval. - Upon submission of draft report for review of UNDP.
Fourth and final payment of 25% of the total amount	Deliverable 4: Submission of final draft of the research report and policy brief <ul style="list-style-type: none"> - Upon submission of the final draft of the research report, power point slides of the key findings and policy brief after incorporating comments/ suggestions from UNDP.

8. Team Composition

Proposals should identify personnel overseeing the proposed consultancy. The profiles of the team shared at the time of submission of proposal / bid shall be part of the research study throughout. Any changes in the team composition shall be communicated and approved by UNDP. Explain which proposed personnel would be facilitating / undertaking which activity/ deliverable and provide a paragraph with a detailed biography of each key member of the team. The team should be composed of at least one Team Leader who may also be the issue/ subject matter expert and lead in the design and implementation of the research methodology, and three qualified and experienced personnel (technical experts) to provide support in the development of research instruments and analysis of the collected data. The team should be able to establish collaborative and trusting working partnerships /relations with the UNDP and through UNDP with other UN Agencies and partner organizations mentioned above to carry out the assigned activities on time and successfully.

The Team Leader will have the overall responsibility to oversee the implementation of each deliverable/ output and aligned tasks mentioned above.

A description of the Team's, qualifications, skills, and professional experience is listed below:

A. Team Leader

The Team Leader will be responsible for the overall coordination and quality control of the deliverables for this assignment, and they will lead and guide every aspect of the deliverable implementation. In addition, he/ she will also act as the subject matter/ issue expert and lead in the design and conduct of the research.

Qualifications, skills and professional experience of the Lead Consultant should include the following;

- University degree or specialized diploma or equivalent plus ten years of professional experience in law, peace, justice, and security, and/ or conflict studies, or other relevant subject areas.
- Minimum 10 years professional experience in research, assessment and evaluation in development, rule of law, justice, and security sector.
- Minimum 10 years' experience in the rule of law, informal justice mechanisms or legal aid.
- Subject matter expertise in gender is essential. Experience in gender responsive criminal justice systems and ADR will be an asset.

- In-depth understanding of and experience working on alternative dispute resolution mechanisms is essential.
- Experience in rule of law sector in Pakistan will be an asset.
- Fluency (oral and written) in English.
- Share two research studies/articles authored by the Team Leader.

B. Other Experts

1. Quantitative Expert

- University degree in political science / social science/ law / criminology or similar.
- Minimum 5 years of experience in conducting quantitative research, impact evaluations and report writing.
- Expertise in gender and gender disaggregated statistic is essential.
- Understanding of statistical tools including STATA and SPSS will be an asset.
- Must possess excellent English analytical and writing skills with hands on experience in report writing
- Fluency (oral and written) in English.
- Proficiency in Urdu will be an added advantage.

2. Qualitative Expert

- University degree in anthropology/political science / Social Science/ law / criminology or other relevant subject areas.
- Minimum 5 years of experience in conducting qualitative research in the rule of law sector including emphasis on gender responsiveness.
- Understanding of qualitative research methodologies including ethnography, case study, observation, scoping interviews, FGDs and KIs will be an asset
- Must possess excellent English analytical and writing skills with hands on experience in report writing
- Fluency (oral and written) in English.
- Proficiency in Urdu will be an added advantage.

3. Legal/Law Expert

- University degree in law, LLM or LLB, policing, criminology, peace, justice, and security, and/ or conflict studies, or other relevant subject areas.
- Minimum 10 years professional experience in rule of law, alternative dispute resolution, justice and security sector including focus on gender and marginalized groups.
- Over 5 years professional experience of conducting research quantitative or qualitative and report writing.
- Must possess excellent English analytical and report writing skills.
- Fluency (oral and written) in English.
- Proficiency in Urdu will be an added advantage.

All team members must be able and willing to collaborate or assist the other team members in training events and provision of advice.

4. Qualification of the Firm

- Minimum 5 years of demonstrated experience in conducting research, evaluation studies and situation and context analysis at national or international level. Similar experience in Pakistan will be an advantage.
- Minimum 2 years of research experience in at least one of the following thematic areas: ADR, legal aid, access to justice, institutions, and law (including focus on gender and marginalized groups).
- Capacity to deliver the stated outputs/ deliverables, and corresponding tasks to a high quality and in a timely manner is essential.
- Previous experience with UNDP, other UN agencies or donor-financed similar assignments will be an advantage.
- Three references from previous work for similar experience in the last 5 years.

5. Technical evaluation criteria:

Summary of Technical Proposal Evaluation Forms		Score Weight	Points Obtainable
1.	Expertise of Firm / Organization	31%	215
2.	Proposed methodology, approach and implementation plan	45%	315
3.	Management structure and key personnel (permanent and temporary)	24%	170
Total			700

Form 1 Technical Proposal Evaluation		Points obtainable
Expertise of the Firm/Organization		
1.1	Demonstrated experience of 5 years in conducting research, evaluation studies and situation and context analysis at national or international level. Similar experience in Pakistan will be an advantage. Zero marks for firm that possess below 5 years experience	50
1.2	Minimum 2 years of research experience in at least one of the following thematic areas: ADR, legal aid, access to justice, institutions, and law (including focus on gender and marginalized groups) Zero marks for firm that possess below 2 years experience	35
1.3	Provide three references of similar courses being developed. Each reference carries 20 marks	60
1.4	Financial stability last three years Audited Account. Average Annual Turn Over for three years should be equivalent to PKR 10 million For Joint Venture the average combined turnover should be equal or greater than PKR 20 million	50
1.5	Has the firm have enough experts at least 01 quantitative and 01 qualitative researcher in above to conduct the multiple courses simultaneously?	20
Total – Expertise of Firm Organization		215

Form 2 - Technical Proposal Evaluation			Points Obtainable
Proposed Methodology, Approach, and Implementation Plan			
2.1	To what degree does the firm understand the intended task; the objectives, methodology, the deliverables, intended activities and the context within which the systems are being implemented?		80
2.2	Has the firm proposed to implement entire scope of the work?		40
2.3	Has the firm proposed to implement all the proposed courses development simultaneously? How Much Realistic is the Time Frame?		60
2.4	Presentation and Workplan: Is the presentation clear and are the sequence of activities and the planning logical, realistic and promise efficient implementation of the systems		55
2.5	Risk Management plan: Has the firm identified the associated Risks and provided Risks Management Plan?		40
2.6	Training Plan: Has the firm provided Training Plan? How Comprehensive is it?		40
	Total - Proposed Methodology, Approach and Implementation Plan		315

Technical Proposal Evaluation Form 3			Points Obtainable
Management Structure and Key Personnel			
3.1	Team Leader (01)		
	General Qualification and Suitability for the Project	Sub-Score	45
	University degree or specialized diploma or equivalent ten years of professional experience in subjects related to law, peace, justice, and security, and/ or conflict studies, strategy/risk management or other relevant subject areas.	10	
	Minimum 10 years professional experience in research, assessment and evaluation in development, rule of law, justice, and legal aid.	15	
	Minimum 10 years' experience in the rule of law, informal justice mechanisms or law enforcement	10	
	Subject matter expertise in gender is essential. Experience in gender responsive criminal justice systems and ADR will be an asset.	3	
	In-depth understanding of and experience working on alternative dispute resolution mechanisms is essential	2	
	Fluency (oral and written) in English.	4	
	Proficiency in Urdu will be an added advantage.	1	
3.2	Quantitative Expert (01)		42
	University degree in political science / Social Science/ law / criminology or other relevant subject areas.	10	
	Minimum 5 years of experience in conducting quantitative research, designing large scale HH survey, impact evaluations and report writing	13	
	Understanding of statistical tools including STATA and SPSS will be an asset.	5	
	Expertise in gender and gender disaggregated statistic is essential.	5	
	Must possess excellent English analytical and writing skills with hands on experience in report writing	5	

	Fluency (oral and written) in English.	3	
	Proficiency in Urdu will be an added advantage	1	
3.3	Qualitative Expert (01)		42
	University degree in anthropology/political science / Social Science/ law / criminology or other relevant subject areas.	10	
	Minimum 5 years of experience in conducting qualitative research in the rule of law sector including emphasis on gender responsiveness.	13	
	Understanding of qualitative research methodologies including ethnography, case study, scoping interviews, FGDs and KII's will be an asset	10	
	Must possess excellent English analytical and writing skills with hands on experience in report writing	5	
	Fluency (oral and written) in English.	3	
	Proficiency in Urdu will be an added advantage	1	
3.4	Legal/Law Expert (01)		41
	University degree in law, LLM or LLB, policing, criminology, peace, justice, and security, and/ or conflict studies, strategy/risk management or other relevant subject areas.	10	
	Minimum 10 years professional experience in rule of law, alternative dispute resolution, justice and security sector including focus on gender and marginalized groups.	12	
	Over 5 years professional experience of conducting research quantitative or qualitative and report writing	10	
	Must possess excellent English analytical and report writing skills.	5	
	Fluency (oral and written) in English.	3	
	Proficiency in Urdu will be an added advantage.	1	
	Total Part 3		170

Mandatory Note: CVs of the personnel assigned should be signed, dated and attached with the proposals and prepared following the template in Annex 6 of the RFP

6. Additional Notes:

Proposals should include a description of the firm's capability to carry out the proposed consultancy, describing any prior or similar experiences in any or more of the key deliverable areas in Pakistan or similar context as well as clear risk mitigation plan/ risk averse planning methodology in the event of another outbreak of COVID-19 pandemic that may result in movement restrictions in the target districts.

The firm must make sure that its proposal:

- will address/deliver the requirements of the TOR;
- will provide a detailed description of the essential performance characteristics in response to the TOR;
- will include detailed implementation plan and quality assurance mechanisms that will be put in place;;
- is appropriate to the local conditions and context of the work.

The firm will submit the following documents with the proposal:

- At least three research study reports published
- A list of research studies conducted both published and unpublished
- A list of the permanent research team with the organization

FORM FOR SUBMITTING SERVICE PROVIDER'S PROPOSAL³

(This Form must be submitted only using the Service Provider's Official Letterhead/Stationery⁴)

[insert: Location]

[insert: Date]

To: [insert: Name and Address of UNDP focal point]

Dear Sir/Madam:

We, the undersigned, hereby offer to render the following services to UNDP in conformity with the requirements defined in the RFP dated [specify date], and all of its attachments, as well as the provisions of the UNDP General Contract Terms and Conditions :

A. Qualifications of the Service Provider

The Service Provider must describe and explain how and why they are the best entity that can deliver the requirements of UNDP by indicating the following :

- a) Profile – describing the nature of business, field of expertise, licenses, certifications, accreditations;*
- b) Business Licenses – Registration Papers, Tax Payment Certification, etc.*
- c) Latest Audited Financial Statement – income statement and balance sheet to indicate its financial stability, liquidity, credit standing, and market reputation, etc. ;*
- d) Track Record – list of clients for similar services as those required by UNDP, indicating description of contract scope, contract duration, contract value, contract references;*
- e) Certificates and Accreditation – including Quality Certificates, Patent Registrations, Environmental Sustainability Certificates, etc.*
- f) Written Self-Declaration that the company is not in the UN Security Council 1267/1989 List, UN Procurement Division List or Other UN Ineligibility List.*

B. Proposed Methodology for the Completion of Services

The Service Provider must describe how it will address/deliver the demands of the RFP; providing a detailed description of the essential performance characteristics, reporting conditions and quality assurance mechanisms that will be put in place, while demonstrating that the proposed methodology will be appropriate to the local conditions and context of the work.

C. Qualifications of Key Personnel

³ This serves as a guide to the Service Provider in preparing the Proposal.

⁴ Official Letterhead/Stationery must indicate contact details – addresses, email, phone and fax numbers – for verification purposes

If required by the RFP, the Service Provider must provide :

- a) Names and qualifications of the key personnel that will perform the services indicating who is Team Leader, who are supporting, etc.;*
- b) CVs demonstrating qualifications must be submitted if required by the RFP; and*
- c) Written confirmation from each personnel that they are available for the entire duration of the contract.*

*[Name and Signature of Authorized Person]
[Designation]
[Date]*

Annex 3**FORM FOR SUBMITTING SERVICE PROVIDER'S FINANCIAL PROPOSAL**

(This Form must be submitted only using the Service Provider's Official Letterhead/Stationery)

Cost Breakdown per Deliverable*

Deliverable	Deliverables <i>[list them as referred to in the RFP]</i>	Percentage of Total Price <i>(Weight for payment)</i>	Price <i>(Lump Sum, All Inclusive) PKR</i>
1	Deliverable 1: Develop an inception report including a workplan, methodology and literature review. Upon submission and approval of an inception report including a workplan; methodology, research instruments, literature review, list of interviewee and quality assurance plan for data collection.	25%	
2	Deliverable 2: Completion of data collection and stakeholder engagements Upon Submission of consolidated and cleaned quantitative data in excel, transcribed, and cleaned interview data from KIIs and FGDs. Documentary evidence of the data collection process, pictures, videos of the interviews etc.	20%	
3	Deliverable 3: Submission of the initial draft of the research report - Agree with UNDP the structure and design of the report and provide a skeleton report outline to UNDP for review and approval. Upon submission of draft report for review of UNDP.	30%	
4	Deliverable 4: Submission of final draft of the research report and policy brief Upon submission of the final draft of the research report, power point slides of the key findings and policy brief after incorporating comments/ suggestions from UNDP.	25%	
	Total	100%	

**This shall be the basis of the payment tranches*

Cost Breakdown by Cost Component:

Description of Activity	Remuneration per Unit of Time	Total Period of Engagement	No. of Personnel	Total Rate
I. Personnel Services				
1. Services from Home Office				
a. Expertise 1				
b. Expertise 2				
2. Services from Field Offices				
a. Expertise 1				
b. Expertise 2				
II. Out of Pocket Expenses				
1. Travel Costs				
2. Daily Allowance				
3. Communications				
4. Reproduction				
5. Equipment Lease				
6. Others				
III. Other Related Costs				

*[Name and Signature of the Service Provider's
Authorized Person]
[Designation]
[Date]*

Annex 4

**Standard Terms and Conditions
Separately Attached.**