



## INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **15 February 2018**

**Country:** Republic of Moldova

**Description of the assignment:** National consultant on regulations in urbanism

**Project name:** Strengthening Parliamentary Governance in Moldova Project

**Period of assignment/services:** up to 45 working days March 2018 – May 2018

Proposals should be submitted online by pressing the "Apply Online" button, no later than **01 March 2018**

Requests for **clarification only** must be sent by standard electronic communication to the following e-mail: [onorina.soric@undp.org](mailto:onorina.soric@undp.org). UNDP will respond 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 applicants.

### 1. BACKGROUND

The goal of the UNDP "Strengthening Parliamentary Governance in Moldova" Project, further on referred to as the SPGM project, is designed to address the main needs of the Parliament of Moldova in the areas of law-making, oversight and representation during the on-going process of domestic reform spurred by closer relations with the EU. The project is also assisting in making the Parliament's legislative activity more open, transparent and participatory through establishing tools and mechanisms for the engagement of civil society, professional associations and the general public. Project interventions will offer and encourage equal opportunity for male and female participation.

Given continuous changes and developments in the framework regulating the area of urban planning, major issues related to interpretation and application of the legislation at different levels have been observed lately. Currently, there is no methodical approach to the development of urban areas and land use plans (national, zonal and local) are missing.

As a result, urban planning is conducted in a chaotic manner without a harmonized approach that would consider the economic, social, ecological and cultural policies approved at national and local levels which enhance the risk of corruption. Numerous localities are expanding without an agreed general urban plan leading to the mushrooming of unauthorized buildings.

In response, the Government of the Republic of Moldova drafted the Code on Urbanism and Construction is moving to establish a unified legal framework regulating the field of urban planning. The draft code aims to systemize the regulatory framework and propose solutions to the functional issues identified so far, transposing the EU norms and standards into the national legislation. Moreover, the draft law will describe the roles and responsibilities related to urbanism of competent institutions, and will define the mandate and role of the state and other involved stakeholders.

The Code of Urbanism and Construction was submitted to the Parliament of Republic of Moldova by the Government of the Republic of Moldova in March 2017, and was passed in first reading. During the debate, numerous questions were raised and a wide range of objections to the bill were put forward by MPs.

Therefore, in order to identify the shortcomings and improve the draft Code, UNDP is seeking to hire a national consultant to assist the Committee on economy, finance and budget in reviewing the bill on urbanism and construction, with regards to the section on urbanism.

## 2. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED ANALYTICAL WORK

The expected output for the national consultant's assignment is to assist the parliamentary Committee on economy, budget and finance to review the draft Code on Urbanism and Construction (Urbanism Component), taking into consideration the best European practices in the field.

In order to achieve the stated scope of work, the consultant shall perform the following tasks and activities:

1. Undertake a comprehensive desk review of the relevant national legal framework, relevant studies, researches, reports, EU/international best practices related to urbanism.
  - Analyse all the legislative initiatives proposing amendments to the draft Code (from individual MPs, groups of MPs, factions and/or parliamentary standing committees); and
  - Prepare an Inception Report for respective assignment.
2. Review the draft Code on Urbanism and Construction, specifically the following:
  - Differences between the draft of the Code on Urbanism and Construction and the existing legislation of Republic of Moldova on urbanism;
  - Analyse the norms introduced by the draft Code that increase or limit the effectiveness of this legislation;
  - Analyse potential risks, including economic and social impacts, in case the draft Code is approved as presented; and
  - Other necessary components identified by the expert.
3. Develop an Assessment Report containing findings and specific recommendations for improving the draft Code on Urbanism and Construction;
4. Provide support to the organisation of public hearings. Participate and present the expert opinion during the public hearings;
5. Review the received proposals and develop amendments to the draft Code of Urbanism and Construction and submit the final version;
6. Consider and mainstream the gender perspective throughout the Code;
7. Present the expert opinion on the urbanism component of the draft Code during committee meetings. The recommendations / proposals for the urbanism section of the draft Code should be compatible with those from construction component;
8. Support the Committee on Budget, Economy and Budget to develop the amendments to the draft Code on Urbanism and Construction;
9. Ensure close cooperation with the other consultants working on the expert review of the construction section of the draft of the Code on Urbanism and Construction.

The consultant will work under the direct supervision of the UNDP Project Manager for substantive aspects of the assignment, and under the guidance of the Senior Project Officer – for administrative aspects. The consultant will report to the parliament appointed representative and the Technical Specialist of UNDP SPGM project. The parliament will provide the consultant with working space, access to Internet, a printer and a telephone line.

### *Timeframe*

The timeframe for this assignment is tentatively planned for March – May 2018. The consultancy should involve about 45 days of work. The exact schedule shall be coordinated in advance.

### *Language*

All communications and documentation related to the assignment will be in Romanian. Before submission of the deliverables, the consultant will discuss the draft documents with the parties involved (i.e. Parliament, UNDP and other stakeholders) so that the final products reflect their comments. Good knowledge of English is a strong asset.

For detailed information, please refer to Annex 1 – Terms of Reference.

### 3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

#### Academic Qualifications:

- Master degree or equivalent (5-year university degree) in urban planning or other related fields.

#### Years of experience:

- At least 5 years of relevant professional experience in the field of urban planning or other related fields;
- At least 2 years of experience in legislative drafting;
- In-depth knowledge and understanding of the existing legislation on urbanism in the Republic of Moldova;
- Proven experience in comparative analysis, research, assessment on the implementation of the legislation and policies;
- Proven experience in organising public hearings and consultations engaging diverse stakeholders will be a strong asset;
- Experience of advisory work on parliamentary/government development is a strong advantage;

#### Competencies:

- Strong analytical and drafting skills;
- Excellent writing and oral communication;
- Ability to work with teams;
- Availability to work during the indicated /approved period;
- Fluency in Romanian. Knowledge of English and Russian will be a strong asset.

#### Personal qualities:

- Proven commitment to the core values of the United Nations, in particular respecting differences of culture, gender, religion, ethnicity, nationality, language, age, HIV status, disability, and sexual orientation, or other status;
- Responsibility, creativity, flexibility and punctuality, ability to meet deadlines and prioritize multiple tasks.

The UNDP Moldova is committed to workforce diversity. Women and men, persons with different types of disabilities, LGBTI, Roma and other ethnic, linguistic or religious minorities, persons living with HIV, as well as refugees and other non-citizens legally entitled to work in the Republic of Moldova, are particularly encouraged to apply.

### 4. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS

Interested individual consultants must submit the following documents/information to demonstrate their qualifications:

1. Methodological Proposal that should contain:
  - A brief methodology on how they will approach and conduct the assignment.
  - Explain why they are the most suitable for the work including past experience in similar assignments and the relation to the above required qualifications.
2. Financial proposal (in USD), specifying a fee per day and total requested amount including all related costs, e.g. fees, per diems, travel costs, phone calls etc.;
3. Duly filled in and signed Personal History Form (P11) and at least 2 names for a reference check.

### 5. FINANCIAL PROPOSAL

- Contracts based on daily fee

The financial proposal will specify the daily fee, travel expenses and per diems quoted in separate line items, and payments are made to the Individual Consultant based on the number of days worked.

#### Travel

All envisaged travel costs must be included in the financial proposal. This includes all travel to join duty station/repatriation travel. In general, UNDP should not accept travel costs exceeding those of an economy class ticket. Should the IC wish to travel on a higher class he/she should do so using their own resources.

In the case of unforeseeable travel, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and Individual Consultant, prior to travel and will be reimbursed.

## 6. EVALUATION

Initially, individual consultants will be short-listed based on the following minimum qualification criteria:

- Master degree or equivalent (5-year university degree) in urban planning or other related fields.
- At least 5 years of relevant professional experience in the field of urban planning or other related fields;
- At least 2 years of experience in legislative drafting;

The short-listed individual consultants will be further evaluated based on the following methodology:

### Cumulative analysis

The award of the contract shall be made to the individual consultant whose offer has been evaluated and determined as:

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.

\* Technical Criteria weight – 60% (300 pts);

\* Financial Criteria weight – 40% (200 pts).

Only candidates obtaining a minimum of 210 points would be considered for the Financial Evaluation.

Criteria	Scoring	Maximum Points Obtainable
<b><u>Technical</u></b>		
Master degree or equivalent (5-year university degree) in urban planning or other related fields	Master's Degree – 10 pts. PhD -15 pts.	15
At least 5 years of relevant professional experience in the field of urban planning or other related fields	5 years – 30 pts., each additional year of experience – 10 pts. up to a maximum of 50pts.	50
At least 2 years of experience in legislative drafting	2 years – 30 pts., each additional year of experience – 10 pts. up to a maximum of 50 pts.	50
<u>Interview</u>	<ul style="list-style-type: none"> <li>• In-depth knowledge and understanding of the existing legislation on urbanism in the Republic of Moldova; - up to 40 pts.;</li> <li>• Proven experience in comparative analysis, research, assessment on the implementation of the legislation and policies; - up to 40 pts.;</li> <li>• Proven experience in organising public hearings and consultations engaging diverse stakeholders will be a strong asset; - up to 25 pts.;</li> <li>• Experience of advisory work on parliamentary/government development is a strong advantage - up to 30 pts.;</li> <li>• Strong analytical and drafting skills - up to 20 pts.;</li> <li>• Fluency in Romanian. Knowledge of English and Russian will be a strong asset. Knowledge of one or more additional languages relevant for Moldova, including Bulgarian, Gagauzian, Romani, Ukrainian or sign language is an asset</li> </ul> <p>(any of the mentioned languages – 5 pts. each, max</p>	165

	– 20 pts.)	
Belonging to the group(s) under-represented in the UN Moldova and/or the area of assignment*	(no – 0 pts., to one group – 10 pts., to two or more groups – 20 pts.)	20
<b>Maximum Total Technical Scoring</b>	<b>300</b>	

\* Under-represented group in the area of assignment (IT industry) are women. Under-represented groups in UN Moldova are persons with disabilities, LGBTI, ethnic and linguistic minorities, especially ethnic Gagauzians, Bulgarians, Roma, Jews, people of African descent, people living with HIV, religious minorities, especially Muslim women, refugees and other non-citizens.

<b>Financial</b>	
Evaluation of submitted financial offers will be done based on the following formula: <b><math>S = F_{min} / F * 200</math></b> <b>S</b> – score received on financial evaluation; <b>F<sub>min</sub></b> – the lowest financial offer out of all the submitted offers qualified over the technical evaluation round; <b>F</b> – financial offer under consideration	<b>200</b>

#### Winning candidate

The winning candidate will be the candidate, who has accumulated the highest aggregated score (technical scoring + financial scoring).

#### **ANNEXES:**

##### **ANNEX 1 – TERMS OF REFERENCES (TOR)**

##### **ANNEX 2 – INDIVIDUAL CONSULTANT GENERAL TERMS AND CONDITIONS**