



## INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **23 April 2019**

**Country:** Republic of Moldova

**Description of the assignment:** National legal consultant to support the GPA in amending its internal regulatory framework

Project name: Strengthening Parliamentary Governance in Moldova Project (SPGM)

Period of assignment/services: June – October 2019 (up to 50 days)

Proposals should be submitted online by pressing the "Apply Online" button, no later than 10 May 2019

Requests for **clarification only** must be sent by standard electronic communication to the following e-mail: [victoria.muntean@undp.org](mailto:victoria.muntean@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 UNDP "Strengthening Parliamentary Governance in Moldova" (SPGM) Project works with the Parliament of the Republic of Moldova (PRM) to strengthen its law-making, oversight and representation functions with a specific focus on the EU integration and the Sustainable Development Goals (SDGs). Project interventions include trainings, technical assistance, easy-to-read publications, exchanges and opportunities for learning from other parliaments, as well as specialized technical equipment. Since 2017, the SPGM project has also been supporting the capacity development of the Gagauz People's Assembly (GPA) at the request of the Parliament of the Republic of Moldova (PRM).

The Gagauz People's Assembly is the representative body of the Autonomous Territorial Unit of Gagauzia that was established in 1994 based on the Law on the special legal status of Gagauzia. According to this law, the People's Assembly comprises 35 members elected for a four-year term in uninominal territorial districts. In its current composition, the Gagauz People's Assembly started its work on 20<sup>th</sup> of January 2017.

In 2017, a Functional and Institutional Analysis of the Gagauz People's Assembly was conducted with the aim of identifying specific areas of intervention and approaches for capacity development. The analysis report defined the strengths and opportunities for the assembly, as well as the weaknesses and challenges that require further institutional strengthening.

One of the main challenges was the lack of a strategic development plan for the GPA to guide institutional development. Based on the findings, UNDP subsequently supported a participatory and inclusive process for the drafting of the GPA's first Strategic Development Plan 2018-2020, which was approved by the Presidium in July 2018. In line with the GPA priorities announced for 2018-2020, the institution shall undergo a process of institutional reform towards becoming a more efficient organization.

In this context, the review and amendment of the GPA's Rules of Procedure (RoP) and internal normative

acts regulating the institutional workflows is necessary to ensure that key processes, roles and functions of the Assembly are optimized for increased efficiency and compliant with national legislation.

In this regard, UNDP is seeking to contract a legal consultant to support the Gagauz People's Assembly in updating the RoP and amending existing and drafting new internal regulations as part of the enhancing the institutional efficiency of the assembly.

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

The expected output for the national legal consultant's assignment is to support the GPA in updating and drafting its regulatory framework, in order to respond to the new institutional structure of this entity. Currently, work is progressing on the development of a new organigram of the GPA and an analysis report with recommendations for the reengineering of business processes. Therefore, the legal consultant is expected to closely coordinate the development and finalization of deliverables under the assignment with the UNDP consultants engaged for drafting the new structure of the GPA.

In order to achieve the stated objective, the consultant will have the following responsibilities:

- Prepare a detailed work plan and inception report describing the methodology and approach to be applied for this assignment.
- Undertake a comprehensive desk review of the relevant regulatory framework related to GPA's institutional roles and functions.
- Develop, in close coordination with the other UNDP consultants, a list of exiting GPA regulations which should be modified and new ones to be developed, required to ensure alignment with the structural changes foreseen as part of the new organigram of the GPA. The GPA Rules of Procedure and the Regulation of the GPA Secretariat shall be included in the list of documents which are to undergo review and subsequent amendment. The final list shall be agreed with the GPA management.
- Draft the required amendments and new internal regulations, in line with the applicable national and local normative frameworks, based on the agreed list.
- Organize and conduct at least two validation events to present the proposed amendments, texts of new regulations and collect feedback from the participants for adjustments.
- Develop final drafts of the documents, in line with the received feedback.

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

## **3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS**

### I. Academic Qualifications:

- Master's degree in law, public administration, or any other relevant social science

### II. Years of experience:

- At least 5 years of practical experience in drafting by-laws, normative framework and public policies
- Proven experience (at least 3 proven previous assignments) in drafting regulatory framework
- Previous experience in working with the public entities of the Autonomous Territorial Unit of Gagauzia is an asset
- Experience in working with UN agencies is an asset

### III. Competencies:

- Strong analytical and writing skills;
- Ability to analyze, plan and communicate effectively orally and in writing
- Demonstrated interpersonal and diplomatic skills, as well as the ability to communicate effectively with stakeholders at all levels and to present ideas clearly and effectively;

- Fluency in Russian. Knowledge of Romanian and/or English is an asset.
- Proven commitment to the core values of the United Nations respecting differences of culture, gender, religion, ethnicity, nationality, language, age, HIV status, disability, and sexual orientation, or other status.

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.

UNDP Moldova is committed to workforce diversity. Women, persons with disabilities, Roma and other ethnic 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. Proposal:
  - (i) Explaining why they are the most suitable for the work;
  - (ii) Provide a brief methodology on how they will approach and conduct the work (if applicable);
2. Financial proposal;
3. Personal CV including past experience in similar projects and at least 3 references.

#### **5. FINANCIAL PROPOSAL**

- Contracts based on daily fee – please delete once the mechanism has been selected

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's degree in law, public administration, or any other relevant social science
- At least 5 years of practical experience in drafting by-laws, normative framework and public policies

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's degree in law, public administration, or any other relevant social science	Master's Degree – 10 pts., PhD – 20 pts.	20
At least 5 years of practical experience in drafting by-laws, normative framework and public policies	5 years – 25 pts., each additional year of experience – 5 pts. up to a maximum of 40 pts.	40
Proven experience (at least 3 proven previous assignments) in drafting regulatory framework	3 assignments– 30 pts., each additional project – 10 pts. up to a maximum of 50 pts.	50
Previous experience in working with the public entities of the Autonomous Territorial Unit of Gagauzia is an asset	Yes/No - 15 pts;	15
Experience in working with UN agencies is an asset	Yes/No - 15 pts;	15
<u>Interview</u>	<ul style="list-style-type: none"> <li>• Knowledge of the national legal framework regulating the status of the Autonomous Territorial Unit of Gagauzia – up to 30 pts.</li> <li>• Clear understanding of the institutional regulation drafting process and requirements – up to 25 pts.</li> <li>• Strong analytical and writing skills – up to 25 pts.</li> <li>• Ability to analyze, plan and communicate effectively orally and in writing – up to 20 pts.</li> <li>• Demonstrated interpersonal and diplomatic skills, as well as the ability to communicate effectively with stakeholders at all levels and to present ideas clearly and effectively – up to 20 pts;</li> <li>• Fluency in Romanian and Russian, English is an asset - each language 10 pts, up to 30 pts.</li> </ul>	150
Belonging to the group(s) under-represented in the UN Moldova and/or the area of assignment*	(no – 0 pts., to one group – 5 pts., to two or more groups – 10 pts.).	10
<b>Maximum Total Technical Scoring</b>		<b>300</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**