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TERMS OF REFERENCE (TOR)

Company to Design and Deliver 2 tailor-made Trainings on Post-Legislative Scrutiny for the Secretariat of the Parliament of the Republic of Moldova

Job title:	Company to Design and Deliver 2 tailor-made Trainings on Post-Legislative Scrutiny for the Secretariat of the Parliament of the Republic of Moldova
Duty station:	Chisinau, Republic of Moldova
Project:	Strengthening Parliamentary Governance in Moldova Project
Contract type:	Contract for Goods and/or Services
Duration of assignment:	March – July 2019

A. BACKGROUND INFORMATION

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). The project directly assists standing committees and the Secretariat of the Parliament of the Republic of Moldova in the implementation of their mandate. Project interventions include training, technical assistance, easy-to-read publications, exchanges and opportunities for learning from other parliaments, as well as the provision of specialized technical equipment. Through this support, the Parliament of the Republic of Moldova is improving its capacity to strengthen the legal framework and successfully engage in oversight through multi-stakeholder action involving civil society, professional associations and the public. The activities will offer and encourage equal opportunities for male and female participation and gender is mainstreamed throughout the project interventions.

In 2018, the Project commissioned the preparation of the “Assessment Report on Parliamentary Oversight in Moldova”. It concluded that the PRM has made steps towards improvement of its oversight function by organizing public hearings and consultations on a more regular basis over the past years. Importantly, oversight was made a key priority by the current leadership of the Parliament in 2017 and all parliamentary standing committees stepped up to organize more public hearings and fact-finding field visits.¹ However, the same assessment also pointed out that the efforts on oversight are still insufficient both on the side of the MPs, as well as staff members. Despite having an array of oversight tools, the legislature does not fully use them.

Subsequently, a methodology for ex-post assessment of legislation was developed and approved by the Standing Bureau in February 2018.² The methodology distinguishes between two types of ex-post

¹ „Parliamentary oversight in Moldova. Assessment report with recommendations”, Franklin de Vrieze p.8, available at http://www.md.undp.org/content/moldova/en/home/library/effective_governance/controlul-parlamentar-in-republica-moldova.html

² Standing Bureau of the Parliament of the Republic of Moldova, Decision no. 7 from 7.02.2018 on the approval of ex-post evaluation methodology relating to the implementation of laws

scrutiny: ex-post legal assessment and ex-post impact assessment. In 2018, the Secretariat applied this methodology and produced 19 ex-post legal assessment reports of laws identified based on the parliamentary oversight action plan. Additionally, two ex-post impact assessments were developed for the Standing Committee on Social Protection, Health and Family with the support of a national consultant.

The findings of the evaluation workshop organized by the project team on piloting of the methodology,³ as well as on the recommendations of the Assessment Report on Parliamentary Oversight, noted that the PRM requires additional human resources to prepare ex-post scrutiny reports.

Additionally, the Strategic Development Plan for 2017 – 2019 of the Secretariat of the Parliament identified the capacity building and professional development of the parliamentary staff members as a top-priority for the institutional development.⁴ In particular, training on ex-post scrutiny for staff members of the legal department and parliamentary committees is of high importance. The overall goal is to ensure that the personnel has the knowledge and skills to provide support in the context of law-making and oversight, so that they can perform their responsibilities and tasks more efficiently.

To ensure that the staffers in the Secretariat of the Parliament of the Republic of Moldova have enhanced capacities to engage efficiently in ex-post scrutiny of legislation, as well as to improve the understanding of the ex-ante assessment of bills, the project is seeking a specialized company (hereinafter Service Provider) that will develop and deliver two tailor-made trainings.

B. OBJECTIVES AND SCOPE OF WORK

The overall aim of the assignment is to strengthen the capacity of staff members of the Parliament of the Republic of Moldova to undertake more efficiently its functions on post-legislative scrutiny by means of providing two tailor-made trainings.

The trainings shall contribute to achievement of the following learning objectives:

Objective 1. Participants have improved the understanding of the means and techniques of ex-ante and ex-post assessments of the legislation.

Objective 2. Participants have improved the skills to conduct efficiently post-legislative assessment of the legislation.

To achieve the stated objectives, the Service Provider shall:

1. Develop an Inception Report containing a work plan and a detailed methodology including an overview of the tools to be used for the assignment;
2. Develop the outline, curriculum and the training aids;
3. Develop the agendas and set dates for the trainings;
4. Develop the evaluation tools to assess the achievement of the learning objectives and participants' satisfaction;
5. Deliver two (2) 5-day training sessions for the selected staff of the Parliament;

³ An evaluation workshop on the outcome of the piloting phase of use of the methodology was organised by the Project in Spring 2018

⁴ Decision of the Standing Bureau of the Parliament of the Republic of Moldova for the approval of the Strategic development plan of the Secretariat of the Parliament for the years 2017 – 2019, <http://www.parlament.md/LinkClick.aspx?fileticket=PFba6419bdE%3d&tabid=212&language=ro-RO>

6. Prepare and submit a post-training report to reflect the outcome of the both trainings and present recommendations for subsequent interventions. The report shall cover at least the following themes:
 - Processed information containing gender disaggregated data;
 - Post-training evaluation addressing participants' satisfaction with the training content and anticipated impact on participants' job;
 - Participants insights on the training;
 - Recommendations for further actions aiming to strengthen the capacities of the Secretariat to support parliamentary oversight.

All the deliverables of the company shall be coordinated with the designated representative of the Parliament of the Republic of Moldova and the project team.

The minimum learning outcomes shall be:

- Knowledge of the main terms and differences between ex-ante and ex-post- legislative scrutiny;
- Understanding of the importance of conducting post-legislative scrutiny for improving the general quality of legislation and increasing the impact of scrutinized laws;
- Ability to efficiently and correctly employ in practice the main methods for conducting post-legislative scrutiny;
- Practical knowledge of conducting post-legislative assessment of legislation;
- Knowledge of the best practices in conducting post-legislative scrutiny from parliaments of other European countries.

C. METHODOLOGY

The Service Provider shall apply the "learning-by-doing" method by employing an interactive style of training (including simulations and case studies). Trainers shall avoid long theoretical sessions and use a skill-based training methodology. The Service Provider shall develop and provide participants with a set of relevant supporting materials for the training subjects:

- Agenda;
- Training handouts materials / guidelines;
- Presentations, case-studies and other training materials;
- At least 2 case-studies shall support the analysis from gender equality perspective;
- Background readings and links to additional information on conducting post-legislative scrutiny.

The selected Service Provider is expected to mainstream gender equality principles in all phases related to the training.

Beneficiaries of the trainings

The anticipated direct beneficiaries of the trainings are:

- Consultants of the parliamentary standing committees (2 consultants per committee⁵);
- Representatives of the General Legal Department of the Secretariat of the Parliament (up to 12 persons);
- Representatives of the Informational-analytical Department of the Secretariat of the Parliament (up to 3 persons).

⁵ In line with the Rules of Procedure of the PRM, available at <http://lex.justice.md/md/322831/>, the Standing Bureau approves the number of Standing Committees. According to data available in February 2019, there is a total number of ten Standing Committees. <http://parlament.md/SecretariatulParlamentului/Secretariatelecomisiilor/tabid/149/language/ro-RO/Default.aspx>.

The expected total amount of training participants is up to 35 persons. In order to ensure an interactive and efficient learning process, the Service Provider shall split this number of participants in 2 smaller groups. Accordingly, the Service Provider shall conduct the same training on post-legislative scrutiny for both groups. The exact dates for providing the trainings will be agreed on after the award of the Contract.

Proposed training outline

The training outline shall cover at least the following issues:

1. Overview of RIA types and principles;
2. Interrelation between ex-ante and ex-post scrutiny of the legislation;
3. Overview of the approved methodology by the Standing Bureau of the Parliament of the Republic of Moldova on the ex-post assessment of legislation;
4. Conducting post-legislative assessment of the legislation:
 - Methodologies for mid-term and long-term assessment of legislation;
 - Main steps in conducting post-legislative assessment, indicators and criteria for assessments of legislation;
 - Institutional approaches and interrelations between the Parliament and the Government in the process of ex-post assessment: roles, responsibilities, partnerships and exchange of information for conducting post-legislative scrutiny;
5. Case-studies examination:
 - Analysis of legislative scrutiny case-studies from other European parliaments;
 - Presentation on how different assessment instruments are employed to conduct ex-post legislative scrutiny (on specific cases);
6. Practical application of training content.
 - Practical exercises that will help the beneficiaries to apply the knowledge acquired as part of the training;
 - Debriefing on the results of the practical exercises by providing comprehensive feedback that will improve further application of the trainings' knowledge.

D. DELIVERABLES AND INDICATIVE TIMEFRAME

	Deliverables	Tentative timeframe
1.	Prepare and submit the Inception Report	By 29 th March 2019
2.	Training outline and curriculum developed and submitted to the designated representative of the Parliament and the SPGM project team	By 5 th of April 2019
3.	Training handouts, presentations, case studies and other aids to be used for the approved outline developed and submitted to the designated representative of the Parliament and the SPGM project team	By 22 nd of April 2019
4.	Evaluation tools to assess the achievement of the learning objectives and participants satisfaction developed and submitted to the designated representative of the Parliament and the SPGM project team	
5.	Two training sessions, lasting 5 days each delivered	By 25 th of May 2019

6.	Post-training report developed and submitted to the designated representative of the Parliament and the SPGM project team	By 10 th of June 2019
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* The exact date and time will be confirmed after the consultation with the Moldovan Parliament.

E. INSTITUTIONAL ARRANGEMENTS

The Service Provider will work under the guidance of the Parliament of the Republic of Moldova and the UNDP Technical Specialist for substantive aspects of the assignment and the Senior Project Officer – for administrative aspects.

All the deliverables should be reviewed and approved by the Project's Coordination Team (consisting of the representatives of the Parliament of the Republic of Moldova and SPGM project team).

~~All deliverables should be submitted in an electronic format that would enable beneficiaries to further edit and use them.~~

The deliverables listed at points 2,3 and 4 of the Table of Deliverables, section D, will be used for the purpose of achieving the learning outcomes and shall be submitted to the project in electronic format. The outputs produced by the bidder as well as those produced by the training beneficiaries in the context of the work on the two case-studies, including the post-training report, shall be submitted in an electronic format that would enable beneficiaries to further edit and use them.

The above listed deliverables and training materials will be finalised based on inputs from the SPGM project team and will be adjusted to the needs of the main beneficiary, where needed.

The contracted Service Provider will not be responsible for the logistical organisation of the training and for the associated costs (training facility and equipment rental).

Language requirements

All communication and documentation related to the trainings will be in English and Romanian. The training will be delivered in Romanian, possibly with the help of interpretation. Any translation and interpretation costs should be listed separately in the financial proposal.

The presentations and all other documents submitted in Romanian will also be subject to proof reading and editing to ensure compliance with the parliamentary language and terminology.

Timeframe and Location

The expected period of implementation of the assignment is during March – July 2019. The trainings location will be in the Republic of Moldova.

F. QUALIFICATIONS REQUIREMENTS

The bidder shall provide sound argumentation of the proposal by demonstrating compliance with the ToR and the environment in which it will provide the services. The bidder shall include information on the volume of allocated resources to carry out the assignment. A breakdown per man-days allocated for each deliverable shall be submitted, clearly explaining the role of the team members involved.

Successful bidder shall meet the following minimum qualification requirements for the assignment:

Corporate Minimum Requirements:

- Legally registered entity or consortia of firms;

- At least 5 years of experience in designing, organizing and delivering trainings related to the assessment of legislation;
- Provide evidence of minimum 3 successfully completed projects on legislative scrutiny;
- Previous work in providing capacity-development for parliaments will be an advantage.

The proposed team should consist of but not be limited to the following members:

- Task coordinator (TC);
- Senior Trainer (ST);
- Junior trainer (JT).

Minimum Qualifications of the proposed team:

Task coordinator (TC):

- University degree in Law, Public Administration, Political Science, Economic field or any other relevant fields;
- At least 5 years work experience in managing project teams;
- At least 5 years of experience in developing and coordinating training programmes;
- Fluency in English. Knowledge of Romanian and Russian will be a strong asset.

Senior Trainer (ST):

- University degree in Law, Public Administration, Political Science, Economic field or any other relevant fields;
- At least 5 years of experience in providing trainings and capacity building on regulatory impact assessment to public institutions;
- Proven experience in preparing and carrying out at least 3 training programmes on ex-post legislative scrutiny;
- Proven previous professional experience related to parliamentary assistance and oversight;
- Fluency in English. Knowledge of Romanian and Russian will be a strong asset.

Junior Trainer (JT):

- University degree in Law, Public Administration, Political Science, Economic field or any other relevant fields;
- At least 3 years of experience in providing trainings and capacity building to public institutions;
- Proven previous professional experience related to parliamentary assistance and oversight;
- Fluency in Romanian. Knowledge of English and Russian will be a strong asset.

G. APPLICATION DOSSIER

The full dossier of the application will include the following documents:

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The contract price is a fixed output-based price, regardless of extension of its duration. The key outputs or milestone activities for which payments will be made should be delimited based on the deliverables presented above. The applicant should indicate the percentage of involvement of each team's staff. The price should be exclusive of VAT. A breakdown per working days allocated for each deliverable shall be submitted with a clear explanation of the role of the team members involved.