



## INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **01 March 2021**

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**Country:** Republic of Moldova

**Description of the assignment:** National consultant to support mainstreaming of integrity and anticorruption principles in operations and internal regulations of the national forensic institutions

**Project name:** “Strengthening Efficiency and Access to Justice in Moldova” Project (A2J Project)

**Period of assignment/ services:** March 2021 – October 2021 (up to 45 working days)

Proposals should be submitted online by pressing the "Apply Online" button, no later than **09 March 2021**.

Requests for **clarification only** must be sent by standard electronic communication to the following e-mail: [veronica.cangea-cibotaru@undp.org](mailto:veronica.cangea-cibotaru@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.

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### 1. BACKGROUND

The UNDP project “Strengthening Efficiency and Access to Justice in Moldova” (A2J) is a multi-year institutional development project designed to contribute to an increased efficiency of justice services and to improved access to justice of men and women in Moldova, in particular from vulnerable and marginalized groups, through enhanced capacities of forensic institutions to provide qualitative justice services, strengthened capacities of the justice sector actors in the selected pilot areas to provide coordinated response to men’s and women’s justice needs and strengthened civil society able to claim the respect of rights and engage in a constructive dialogue with the justice chain actors. Project interventions will offer and encourage equal opportunity for the participation of men and women.

Although important efforts have been deployed at national level during the last years to advance the efficiency, transparency, fairness and accessibility of the justice sector, improvement is further required to ensure coherent coordination among law enforcement, security and justice institutions for effective administration of justice, so that men and women, particularly from marginalized or minority groups, are able to claim their rights and access justice effectively.

The national forensic institutions are an integral part of the justice system, as the expert opinions provided by these institutions are critical for the objective and evidence-based delivery of justice. The quality and accuracy of forensic investigations and examinations have an extensive impact on the

quality of justice and affect the overall perception of users about the justice system. Despite their importance for the administration of justice, forensic institutions benefited from limited assistance and support in their modernization endeavours as compared to other justice chain actors.

According to the results of the Barometer of Public Opinion, the justice system in the Republic of Moldova faces a low level of public trust, with only 19% of respondents (20,8% men / 17,5% women) trusting the system as per the data available in October 2020 .

In line with the provisions of the national legislation in force the management of the national forensic institutions is responsible for ensuring the management of corruption risks in the context of implementing the standards of ethics and professional integrity, to contribute to increasing society's confidence that public institutions are fulfilling their mission in the public interest.

In this regard, as required by the National Integrity and Anticorruption Strategy for 2017–2020, integrity plans, risk and corruption registers as well as codes of conduct shall be elaborated. The monitoring of implementation of these tasks and the efficient use of the above listed tools is within the responsibility of management of the entity, and reports on implementation thereof shall be made public.

Currently, a report on the implementation of institutional integrity plan is available only for the Centre of Legal Medicine, whereas the other two national forensic institutions have not undergone the process of integrity evaluation.

Additionally, the legislative framework also sets the requirement towards state entities to mainstream integrity principles in operations and internal regulations as well as apply an approach of zero tolerance for corruption. The efficiency of the actions directed towards ensuring institutional and professional integrity is checked by the managers of public entities, anti-corruption authorities, civil society, and the media applying the National Internal Control Standards for the Public Sector (NICS).

To foster the existing forensic infrastructure and assure its compliance with the national and international standards on institutional integrity, increase public confidence in the national forensic institutions, as well as equip the institutions with relevant capacities and tools which would contribute to compliance with the requirements set in the national legislation, the A2J Project works towards integration in the operations of the national forensic institutions of the integrity and ethics dimensions. In this regard, UNDP is seeking to hire a national consultant to review the national forensic institutions' operations, internal policies and regulations developed and applied within the later, to ensure compliance with national requirements related to promotion of integrity and zero tolerance for corruption.

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

The expected output for the national consultant's assignment is to conduct an assessment of the internal operations within the national forensic institutions and internal regulatory framework addressing the areas of ethics, integrity and anticorruption, identifying gaps and opportunities, as well as develop recommendations for compliance with the NICS<sup>1</sup>. The consultant is also expected to strengthen the

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<sup>1</sup> Considering the legal statute of the Forensic and Judicial Expertise Centre under the General Police Inspectorate, the scope of the assignment implies close coordination with the General Police Inspectorate

capacities of the managers and personnel of national forensic institutions through training and coaching pertaining to the area of integrity and anticorruption.

In order to achieve the stated objective, the Consultant shall perform the following tasks and activities:

1. Prepare the Inception Report and detailed work plan for the assignment;
2. Undertake a comprehensive desk review of the internal rules, regulations and policies in place within the national forensic institutions, with a focus on those connected to the area of integrity and mainstreaming of anti – corruption principles;
3. Prepare the methodology and tools to be used for conducting the assignment and for collection of quantitative and qualitative data;
4. Carry out the assessment of compliance of the national forensic institutions, from the operational and regulatory perspectives, with the provisions of the national legislation related to evaluation of integrity within state entities, to identify gaps and opportunities and propose recommendations for improvement;
5. Conduct in-depth interviews and consultation meetings with the management of the national forensic institutions and delegated representatives;
6. Develop for each of the national forensic institutions a Report containing findings and recommendations as a result of the assessment and the Roadmap for addressing the identified gaps;
7. Organise and facilitate participatory workshops, with management and personnel from the three national forensic institutions, to present and validate the findings of the assessment and proposals for addressing the inconsistencies in operations and internal regulatory framework covering the area of institutional integrity;
8. Work with the management and personnel from the three national forensic institutions to enhance their knowledge and skills on integrity and anticorruption principles in public institutions, assessment and monitoring of integrity in public institutions and corruption risks assessment and management with a focus on the legal regime of gifts, integrity whistleblowers, incompatibilities, restrictions, conflicts of interest and undue influence. In this regard the consultant shall organise and deliver three one day training sessions, one per each institution.

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

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

#### **Academic Qualifications:**

- Master's degree or equivalent (5-year university degree) in Law, or other relevant field.

#### **Experience and knowledge:**

- At least 7 years of experience in the field of research and/or consultancy related to prevention and fight against corruption and/or justice sector;
- Proven experience (at least 3 proven previous assignments) in legal drafting and analysis of normative acts related to justice and/or anticorruption;
- Previous experience working on issues related to combating and preventing corruption is a strong advantage;
- Previous experience in working with public entities is an asset.

#### **Competencies:**

- Excellent knowledge of the policy, normative and institutional framework on the fight and prevention of corruption of the Republic of Moldova demonstrated by previous assignments;
- Demonstrated experience on the assessment of the effectiveness of implementation of specific legislation in the justice and/or anticorruption sectors related to criminal procedures will be a strong advantage
- Excellent analytical and report-writing skills demonstrated by previous assignments;
- 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;
- Previous work with UNDP and/or other development partners will be an asset;
- Fluency in Romanian. Knowledge of Russian and/or English is an 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.

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

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

- ✓ Offeror's Letter confirming Interest and Availability;
- ✓ Financial proposal (in USD, specifying a total requested amount per working day, including all related costs, e.g. fees, phone calls etc.);
- ✓ Duly completed and signed Personal History Form (P11) or personal CV.

**5. FINANCIAL PROPOSAL**

The financial proposal shall specify a total lump sum amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables (i.e. whether payments fall in installments or upon completion of the entire contract). Payments are based upon output, i.e. upon delivery of the services specified in the TOR. In order to assist the requesting unit in the comparison of financial proposals, the financial proposal will include a breakdown of this lump sum amount (including fees, taxes, travel costs, accommodation costs, communication, and number of anticipated working days).

**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 or equivalent (5-year university degree) in Law, or other relevant field;

- At least 7 years of experience in the field of research and/or consultancy related to prevention and fight against corruption and/or justice sector.

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:

- responsive/ compliant/ acceptable, and
- 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 or equivalent (5-year university degree) in Law, or other relevant field	<i>Master's degree – 15 pts., Phd – 20 pts.</i>	20
At least 7 years of experience in the field of research and/or consultancy related to prevention and fight against corruption and/or justice sector	<i>7 years – 35 pts., each additional year of experience – 15 pts. up to a maximum of 65 pts</i>	65
Proven experience (at least 3 proven previous assignments) in legal drafting and analysis of normative acts related to justice and/or anticorruption	<i>3 assignments – 30 pts., each additional assignment – 10 pts. up to a maximum of 60 pts</i>	60
Previous experience working on issues related to combating and preventing corruption is a strong advantage	<i>Yes – up to 40 pts., No – 0 pts.</i>	40
Previous experience working on assessment of the effectiveness of implementation of specific legislation in the justice and/or anticorruption sectors related to criminal procedures	<i>Yes – up to 35 pts., No – 0 pts.</i>	35
Previous experience in working with public entities is an asset	<i>Yes – up to 30 pts., No – 0 pts.</i>	30
Previous work with UNDP and/or other development partners will be an asset	<i>Yes – up to 30 pts., No – 0 pts</i>	30
Fluency in Romanian. Knowledge of Russian and/or English is an asset	<i>Romanian – 10 pts., Russian and/or English – additional 5 pts. each, up to max 20 pts.</i>	20
<b>Maximum Total Technical Scoring</b>		<b>300</b>

<b><u>Financial</u></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**