

Invitation to Submit an Offer for National Legal Expert to support the Central Electoral Commission in developing its internal regulation / secondary legislation framework based on the amended electoral legal framework (3 experts)/ Ou23/ 02682

The United Nations Development Programme (UNDP) is currently implementing a project **Enhancing Democracy in Moldova through inclusive and transparent elections (EDMITE II)** that requires the services of an individual to perform the work described in this document.

In consideration of your qualifications, we are hereby inviting you to submit an offer for this particular assignment. To assist you in understanding the requirements of this assignment, we have attached hereto the following:

- The Terms of Reference for the assignment described above;
- The standard Letter of Confirmation of Interest and Availability, which you must accomplish and submit to UNDP; and
- The Individual Contract and its General Terms and Conditions, which you would be expected to sign in the event you are the selected Offeror in this procurement process.

Should you be interested and decide to submit an offer for this assignment, kindly submit directly in the online supplier portal no later than the deadline indicated in the system.

Offers must be submitted directly in the Quantum Supplier Portal following this link: <http://supplier.quantum.partneragencies.org> using the profile you may have in the portal (please log in using your username and password).

Follow the instructions in the user guide to search for the competition using search filters, namely **Negotiation ID: UNDP-MDA-00080** and subscribe to the competition in order to get notifications in case of amendments of the competition document and requirements.

In case you have never registered before, follow this link to register a profile:

<https://estm.fa.em2.oraclecloud.com/fscmUI/faces/PrcPosRegisterSupplier?prcBuId=300000127714247> based on the instructions in guides available in UNDP website: <https://www.undp.org/procurement/business/resources-for-bidders>.

Do not create a new profile if you already have one. Use the forgotten password feature in case you do not remember the password or the username from previous registration.

Should you require further clarifications on the application through the Quantum online portal, kindly contact the Procurement Unit at sc.md@undp.org. Please pay attention that the proposal shall be submitted online through the Quantum system and any proposal sent to the above email shall be disqualified.

Should you require further clarifications on the Notice, Terms of Reference or other requirements, kindly communicate using the messaging functionality in the portal.

Deadline for Submission of Offers (Date and Time), which is visible in the online supplier portal will be final. The portal will not accept submission of any offer after that date and time. It is the responsibility of the applicant to make sure that the offer is submitted prior to this deadline for submission.

Applicants are advised to upload offer documents and to submit their offer a day prior or well before the date and time indicated under the deadline for submission of Offers. Do not wait until last minute. If Applicant faces any issue during submitting offers at the last minutes prior to the deadline for submission, UNDP may not be able to assist on such a short notice and will not be held liable in such instance. UNDP will not accept any offer that is not submitted directly through the System.

If any discrepancy between deadline in the system and in deadline indicated elsewhere, deadline in the system prevails.

We look forward to your favourable response and thank you in advance for your interest in working with UNDP.

Sincerely,
UNDP Moldova





Table of Contents

1 Overview.....4

 1.1 General Information.....4

 1.2 Tender Timeline.....5

 1.3 Response Rules.....6

 1.4 Terms.....6

2 Requirements.....7

 2.1 Section 1. Overview of the assignment.....7

 2.2 Section 2. Documents to be included with the proposal.....7

 2.3 Section 3. Section. Evaluation - Minimum Qualification Stage.....8

 2.4 Section 4. Technical Evaluation.....8

 2.5 Section 5. Evaluation - Financial Stage.....10

 2.6 Section 6. Offer Form.....10

3 Lines.....14

 3.1 Line Information.....14



1 Overview

1.1 General Information

Title	Qu23/02682: EDMITE/3 National Legal Experts to support the CEC
Contact Point	Radu Mirza
Outcome	
E-Mail	radu.mirza@undp.org
Reference Number	Qu23/02682
Beneficiary Country	Republic of Moldova
Introduction	Country: Republic of Moldova

Invitation to Submit an Offer for National Legal Expert to support the Central Electoral Commission in developing its internal regulation / secondary legislation framework based on the amended electoral legal framework (3 experts)/ Qu23/02682

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We look forward to your favourable response and thank you in advance for your interest in working with UNDP.

Sincerely,

UNDP Moldova

1.2 Tender Timeline

Preview Date	
Open Date	28/02/23 13:39 PM
Close Date	14/03/23 14:30 PM
Time Zone	Coordinated Universal Time



1.3 Response Rules

This negotiation is governed by all the rules displayed below.

	Rule
<input checked="" type="checkbox"/>	Suppliers are allowed to revise their submitted response

1.4 Terms

Negotiation Currency USD



2 Requirements

**Response is required*

2.1 Section 1. Overview of the assignment

1. Background

The United Nations Development Programme (UNDP) is currently implementing the **Enhancing Democracy in Moldova through inclusive and transparent elections (EDMITE II) Project** that requires the services of 3 (three) National Consultants: **Legal Expert to support the Central Electoral Commission in developing its internal regulation / secondary legislation framework based on the amended electoral legal framework.**

Note: Each applicant shall submit his/her own application separately.

2. Scope of Work, Responsibilities and Description of Work

For detailed information on the Scope of Work, responsibilities and description of work, please refer to hereby attached Terms of Reference.

2.2 Section 2. Documents to be included with the proposal

*1. Offeror's letter to UNDP confirming interest and availability for the individual contractor (IC) assignment, including Financial Proposal (USD) in Annex 2

Upload the signed version of the filled in Offeror's letter to UNDP confirming interest and availability for the individual contractor (IC) assignment. Annex 2 to the Offeror's letter, incorporating the Financial Proposal, shall be filled in mandatorily and includes the detailed breakdown of costs supporting the all inclusive financial proposal.

The Financial Proposal shall be additionally submitted directly in the system. Please ensure there are no mathematical errors and that amounts from Offeror's Letter to UNDP Confirming Interest and Availability match with your offer in the system.

*2. Proposal, including Motivation Letter

Upload a Proposal/Motivation Letter explaining why you are the most suitable for the work including previous experience in similar Projects. Please provide brief information on each of the above qualifications, item by item.

*3. CV and other documents

Provide your personal CV including education/qualifications, professional certifications, and employment records/experience in similar projects, including at least 3 references.



***4. Technical Proposal**

Provide your technical proposal (*incl. brief description of experience, approach, and methodology for the completion of the assignment*).

2.3 Section 3. Section. Evaluation - Minimum Qualification Stage

1. Screening against Minimum Qualification Requirements

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

- Bachelor's degree or higher in law or public administration;
- At least 7 years of demonstrated experience in working in legal, electoral or public administration field;
- Proven experience of at least two (2) similar assignments in legal and/or legislative drafting for public institutions.

The screening shall be a desk review of application packages. Therefore, applicants are advised to highlight their compliance to notice requirements through including relevant information in the supporting documentation (CV, motivation letter, etc.)

***2. Compliance to Minimum Qualification Requirements**

Please indicate whether you meet the below requirements:

- Bachelor's degree or higher in law or public administration;
- At least 7 years of demonstrated experience in working in legal, electoral or public administration field;
- Proven experience of at least two (2) similar assignments in legal and/or legislative drafting for public institutions.

2.4 Section 4. Technical Evaluation

1. 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.

2. Evaluation criteria - Technical Stage

Criteria and Scoring	Maximum Points Obtainable
Technical evaluation	
Bachelor's degree or higher in law or public administration (<i>Bachelor's degree – 10 pts., Master's degree – 15 pts.</i>)	15
At least 7 years of demonstrated experience in working in legal, electoral or public administration field (<i>7 years – 40 pts., each additional year – 5 pts., up to max. 80 pts.</i>)	80
Proven experience of similar assignments in legal and/or legislative drafting for public institutions (at least two) (<i>two assignments – 20 pts., each additional assignment – 10 pts.; up to max. 50 pts.</i>)	50
Knowledge and sound understanding of election area (CEC roles and responsibilities, as well as Government institutions, NGOs and international organisations working in this field) (<i>each year – 10 pts.; up to max. 80 pts.</i>)	80
Experience of consultancy and/or analysis/research related to electoral field (<i>each consultancy/ analysis/ research – 10 pts.; up to max. 50 pts.</i>)	50
Strong sense of initiative and ability to work both independently and within a team (<i>Independent work - 0 pts., work within a team – 10 pts.</i>)	10
Knowledge of Romanian language (verbal and written) is a must. Knowledge of English will be considered as an advantage for the purpose of the assignment. (<i>Fluency in Romanian - 5 pts., English – 5 pts.</i>)	10
Belonging to the group(s) under-represented in the UN Moldova and/or the area of assignment* (<i>No – 0 pts., to one group – 2.5 pts., to two or more groups – 5 pts.</i>)	5



<i>* Under-represented group in the area of assignment (law enforcement) 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. Please specify in CV, in case you belong to the group(s) under-represented in the UN Moldova and/or the area of assignment.</i>	
Maximum Total Technical Scoring	300

Response attachments are optional.

2.5 Section 5. Evaluation - Financial Stage

1. Financial Evaluation

Evaluation of submitted financial offers will be done based on the following formula:
 $S = F_{min} / F * 160$
S – score received on financial evaluation;
Fmin – the lowest financial offer out of all the submitted offers qualified over the technical evaluation round;
F – financial offer under consideration

2.6 Section 6. Offer Form

***1. Offeror's Declaration**

I hereby declare that:
-- I have read, understood and hereby accept the Terms of Reference describing the duties and responsibilities of this assignment;
-- I have also read, understood and hereby accept UNDP's General Conditions of Contract for the Services of the Individual Contractors;
-- I hereby propose my services and I confirm my interest in performing the assignment through the submission of my CV which I have duly signed and attached hereto;
-- In compliance with the requirements of the Terms of Reference, I hereby confirm that I am available for the entire duration of the assignment, and I shall perform the services in the manner described in my proposal.



***2. Payment Type and Rates**

I hereby confirm to complete the services based on the following payment rate:

A total lump sum payable in the manner described in ToR.

***3. Payment Certification Procedures**

I recognize that the payment of the abovementioned amounts due to me shall be based on my delivery of outputs within the timeframe specified in the TOR, which shall be subject to UNDP's review, acceptance and payment certification procedures.

***4. Offer Validity**

Please confirm your offer remains valid for a total of 90 days after the submission deadline.

***5. Contract Type**

Select the contract type that you will sign if selected, from the two options below:

1. Sign an Individual Contract with UNDP;
 2. Request my employer to sign with UNDP a Reimbursable Loan Agreement (RLA) for and on my behalf.
- Provide contact persons and details of employer in the comments box or as an attachment.

***6. Other Engagements**

Please indicate whether you have any other engagements at the time of submission. Provide details using the hereby attached Offeror's Letter to UNDP Confirming Interest and Availability template.

***7. Acceptance and Cost for the Proposal**

I fully understand and recognize that UNDP is not bound to accept this proposal, and I also understand and accept that I shall bear all costs associated with its preparation and submission and that UNDP will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the selection process.

***8. Expectations to Re-instate**

I also fully understand that, if I am engaged as an Individual Contractor, I have no expectations nor entitlements whatsoever to be re-instated or re-employed as a staff member.

***9. Former UN Staff Member**

If you are a former staff member of the United Nations recently separated, please confirm hereby that you have complied with the minimum break in service required before you can be eligible for an Individual Contract.

***10. Relatives employed with UN**

Please confirm that you have no first degree relative (mother, father, son, daughter, spouse/partner, brother



or sister) currently employed with any UN Agency or office.

If such relationship exist, please disclose the name of the relative, the UN office employing the relative, and the relationship in the hereby attached Offeror's Letter to UNDP Confirming Interest and Availability template.

***11. Relatives employed by UN or other Organizations**

Are any of your relatives employed by UNDP, or any other UN organization or any other public international organization?

If such relationship exist, please disclose the name of the relative, the UN office employing the relative, and the relationship in the hereby attached Offeror's Letter to UNDP Confirming Interest and Availability template.

***12. Enquiries with present employer**

Do you have any objections to us making inquiries of your present employer?

***13. References**

List three persons not related to you who are familiar with your character and qualifications in the hereby attached Offeror's Letter to UNDP Confirming Interest and Availability template.

***14. Permanent Civil Servant Employee**

Are you now or have you ever been a permanent civil servant in your government's employee? If yes, indicate when in the comments box.

***15. Criminal Records**

Have you been arrested, indicted, or summoned into court as a defendant in a criminal proceeding, or convicted, fined or imprisoned for the violation of any law (excluding minor traffic violations)? If yes, give full particulars of each case in an attached statement.

***16. Statement of Health**

The selected contractor will be required to provide proof of insurance coverage as stated in the Statement of Health herewith attached prior to contract signature.

Target: I will be able to provide proof of medical insurance coverage if selected

***17. Conflict of Interest**

Consistent with the overall principle of fairness and impartiality in the conduct of UNDP Procurement, individual contractors who have been involved in the preparation or formulation of a project or any project implementation activity that leads to subsequent services, including but not limited to the writing of Terms of References for services leading to the engagement of Individual Contractor, should be disqualified from the selection process for IC services arising from such work, in order to prevent situations of conflict of interest. In the same manner, an individual contractor must neither be involved in the evaluation or assessment of a project or a project activity, if the same individual was involved in any aspects of its formulation or implementation.



Please disclose if you have been involved in any of the manners described above.

***18. Certification of Statement**

I certify that the statements made by me in answer to the foregoing questions are true, complete and correct to the best of my knowledge and belief. I understand that any misrepresentation or material omission made on a Personal History form or other document requested by the Organization may result in the termination of the service contract or special services agreement without notice.

Note: You will be requested to supply documentary evidence which support the statements you have made above. Do not, however, send any documentary evidence until you have been asked to do so and, in any event, do not submit the original texts of references or testimonials unless they have been obtained for the sole use of UNDP.



3 Lines

Instructions Please add the price for each deliverable listed below. Upload breakdown of financial proposal using template provided. make sure that the total in the breakdown matches with total of deliverables in the system.

3.1 Line Information

Line	Category Name	Item	UOM	Estimated Quantity	Unit Price	Total Price	Additional Attributes
1-Deliverable 1: Presentation of a detailed work plan for the development of the Regulations considering the timelines listed in Table 1 of Annex 1 – prepared and presented.	80111621						
2-Deliverable 2: Development of the CEC Regulations based on the legislative amendments to the Electoral Code, international standards and EOM recommendations – carried out considering the timelines listed in Table 1 of Annex 1 and submitted	80111621						



Line	Category Name	Item	UOM	Estimated Quantity	Unit Price	Total Price	Additional Attributes
3-Deliverable 3: Review and adapt the Regulations according to the feedback obtained from the CEC and considering the timelines listed in Table 1 of Annex 1 – conducted and submitted to the CEC.	80111621						
4-Deliverable 4: Final comprehensive report and a summarizing PPT, documenting all conducted activities including progress, issues and challenges of developing the Regulations process, results, and recommendations – prepared and submitted to	80111621						

