



TERMS OF REFERENCE

Job title:	National ICT Consultant
Duty station:	Chisinau, Moldova
Reference to the project:	“Enhancing access to justice for living in dignity” Project
Contract type:	Individual Contract (IC)
Expected duration of the assignment:	June – November 2023 (40 working days)
Starting date:	June 2023

I. Background

The UNDP project “Enhancing access to justice for living in dignity” (A2J4Dignity) is a short-term project designed to enhance the resilience of the rule of law system from the Republic of Moldova and strengthen its capacities to deliver effective remedies and provide access to public services. It is intended to address the multifaceted and interconnected challenges of the current polycrises through strengthening institutions, empowering vulnerable groups to access legal services and unlocking the potential of digital transformation in support of better access to justice.

This project aims at providing rule of law institutions and other relevant actors (such as CSOs) with the adequate tools and knowledge to work across the humanitarian-development-peace nexus and to improve access of refugees, displaced populations and host communities to inclusive justice services, safety and security, and protection systems. At the same time, this intervention will seek to empower justice seekers to claim their rights and access legal services while seeking remedies for their grievances.

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 Union of Lawyers of the Republic of Moldova (UAM) is the lawyers' professional self-organization body, member of which are the lawyers licensed according to the Law on the Bar¹. Currently the bar has 2179 members out of which 1973 are active members. The UAM is a self-governing authority, which has the following governing bodies; Congress of Lawyers, Council of the Union of Lawyers, President of the Union of Lawyers, Secretary General of the Union of Lawyers. There are also 3 Commissions active in the UAM: the Licensing Commission, Commission on Ethics and Discipline and Commission of Censors.² The supporting body of the Union of Lawyers is its Secretariat.

In addition to the national bar association there are four regional bars. Regional bars are established each of the districts of the courts of appeal. All lawyers of the respective district become members of that bar association. The highest governing body of a regional bar is the general meeting of lawyers of the respective district. The current activities are administered by the deans of the bars who are elected by the general meeting of the respective bar for the 2-years term.

In line with the objectives and activities related to digitalisation set out in the 2022-2025 Strategy for ensuring the independence and integrity of the justice sector and the priorities of the Ministry of Justice listed in the Justice Digital Agenda, the Union of Lawyers of the Republic of Moldova is envisaged as one of the stakeholders which will be affected by the digital transformation initiatives and will become part of the overall IT architecture of the justice sector. Thus, a comprehensive analysis of the current situation in relation to digitalization endeavours of the Union of Lawyers of the Republic of Moldova and visionary positioning in the context of sectorial initiatives is required to allow informed decision taking.

In this context, the A2J4Dignity Project is seeking to hire a national ICT consultant to develop the Vision Document of the digitally enabled Union of Lawyers of the Republic of Moldova.

II. Objective and expected outputs

The expected outcome of the assignment is to provide expert support to the Enhancing access to justice for living in dignity Project team and delegated representatives of the Union of Lawyers of the Republic of Moldova, in the context of developing the Vision Document of the digitally enabled UAM.

The key output of the assignment, the Vision Document shall:

- *be the main source of information and ensure a detailed depiction of the current technical infrastructure, applications, data within the Union of Lawyers of the Republic of Moldova,*
- *include an inventory of the internal and external workflows within/of the Union of Lawyers of the Republic of Moldova, the description and analysis digitalisation potential thereof (grouped by area and remit of the association),*
- *include an inventory of stakeholders and chain of coordination related to the remit of the Union of Lawyers of the Republic of Moldova, including relevant resources (systems, data, ICT services and infrastructure, as well as development projects / initiatives),*

¹ https://www.legis.md/cautare/getResults?doc_id=129643&lang=ro#

² the Statute of the Legal Profession (approved by the Congress of the Union of Lawyers on 29 Jan. 2011, effective as of 08 Apr. 2011); the Regulation on the Organization and Functioning of the Union of Lawyers of the Republic of Moldova (approved by the Union of Lawyers Council on 27 May 2016); the Code of Ethics (Deontology) of Lawyers (approved by the Congress of Lawyers on 20 Dec. 2002).

- *present the To Be vision (superior level for internal and external workflows, stakeholders and interoperability) of the digitally enabled Union of Lawyers of the Republic of Moldova in support of e-transformation of legal profession and the Roadmap (list of the ICT projects) towards implementation of the Vision Document.*

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

1. Carry out a desk review of the national regulatory framework covering the scope of work, functions and responsibilities of the Union of Lawyers of the Republic of Moldova, of the national regulatory framework related to ITC solutions, data exchange and interoperability, current internal regulations, concepts and guidelines related to the ICT component within the Union of Lawyers of the Republic of Moldova, previously developed assessments of the existing technical, infrastructural and functional capacities of the UAM. The consultant shall also analyse the best practices in digitalisation of national Bar Associations in the EU Members States, as well as study the internationally acknowledged best practices, in order to ensure transposition of available knowledge and experience in the process of developing the Vision Document of the digitally enabled Union of Lawyers of the Republic of Moldova;
2. Prepare a detailed work plan to be applied for the respective assignment;
3. Conduct in collaboration with the UNDP National Legal Consultant the mapping of stakeholders and their roles and responsibilities, chain of coordination in the context of internal and external workflows of the UAM. The findings of the mapping will be presented during a workshop with the participation of the Union of Lawyers of the Republic of Moldova representatives and UNDP Project team;
4. Conduct the review of the existing ICT architecture within the UAM, and provide findings and recommendations providing a comprehensive understanding of the UAM's ICT environment and required improvements which would contributed to the set-up of a digitally enabled UAM as well as to the data exchange and interoperability between the UAM and other actors in the justice system;
5. Develop in collaboration with the UNDP National Legal Consultant, the As Is Workflows' Analysis Report, based on the inventory of internal and external workflows, roles, functions and accountabilities withing the UAM and stakeholders identified following the mapping. The Report shall also include findings and recommendations of the review of the existing ICT architecture. The findings of the As Is Workflows' Analysis Report will be presented during a workshop with the participation of the UAM's representatives and UNDP Project team;
6. Develop in collaboration with the UNDP National Legal Consultant, the To Be Workflows, depicting ICT initiatives (grouped by type and destination) and ICT (infrastructure, applications, data) in the context of a digitally enabled UAM in support of e-transformation of legal profession. The analysis is expected to provide recommendations on the existing workflows to be digitalised, as well as advise on new workflows, to be built within the UAM 's business processes, or in connection to other stakeholders as to ensure interinstitutional data exchange and interoperability. The recommendations and scenarios of the To Be Workflows will be presented during a workshop with the participation of the UAM representatives and UNDP Project team;
7. Develop in collaboration with the UNDP National Legal Consultant the Vision Document of the digitally enabled Union of Lawyers of the Republic of Moldova, describing the current technical infrastructure, applications, data within the UAM, the As is Workflows' and the To Be internal and external workflows, stakeholders and interoperability context of the future digitally enabled Union of Lawyers of the Republic of Moldova and the Roadmap towards implementation of the Vision Document. The Vision Document will be closely coordinated with the Ministry of Justice, Union of Lawyers of the Republic of Moldova, E-Governance

Agency, National Center for Personal Data Protection of the Republic of Moldova (NCPDP) and other relevant state institutions;

8. Conduct in collaboration with the UNDP National Legal Consultant participatory consultations* to collect feedback and validate the Vision Document by means of workshops and/or individual discussions with Ministry of Justice, UAM , E-Governance Agency, National Center for Personal Data Protection of the Republic of Moldova (NCPDP) and other relevant state institutions.

** The responsibility for facilitating the consultation process for the purpose of completing the tasks outlined hereto will be borne primarily by the National ICT Consultant. The consultant shall be responsible for preparing working materials and agendas and will be supported by the UNDP National Legal Consultant and Project Team to ensure participation, communication, and coordination with invited stakeholders.*

III. Deliverables and Timeframe

	Key Deliverables	Tentative workload	Indicative timeline
1.	Inception Report containing a detailed Work Plan developed	3 working days	By June 25, 2023
2.	Methodology and tools to be used for conducting the mapping of stakeholders, review of the ICT architecture, Workflows Analysis Report presenting the “As Is” situation described, To Be Workflows described at point 3 to 6 in Section II and Vision Document as well as draft the content and structure of the Vision Document on the developed and submitted for clearance	5 working days	By July 10, 2023
3.	Mapping of stakeholders and their roles and responsibilities, chain of coordination in the context of internal and external workflows of the UAM conducted and presented during a workshop with the participation of the Union of Lawyers of the Republic of Moldova and UNDP Project team	5 working days	By July 28, 2023
4.	Finalised Workflows Analysis Report presenting the “As Is” situation described at point 5 in Section II developed and submitted for clearance and presented during a workshop with the participation of the Union	5 working days	

	of Lawyers of the Republic of Moldova and UNDP Project team		
5.	To Be Workflows described at point 6 in Section II developed and submitted for clearance and presented during a workshop with the participation of the project Union of Lawyers of the Republic of Moldova and UNDP Project team	6 working days	By September 15, 2023
6.	Draft Vision Document of the digitally enabled Union of Lawyers of the Republic of Moldova as described at point 7 in Section II developed and submitted	8 working days	By October 13, 2023
7.	Participatory consultations to collect feedback on the Vision Document conducted. For purpose of estimation of services' costs, it is expected that at least 3 (three) activities will be carried out.	3 working days	By November 10, 2023
8.	Finalised Vision Document as described at point 7 in Section II developed and submitted	5 working days	

IV. Institutional arrangements

The timeframe for the work of the consultant is tentatively planned through June- November 2023.

The consultant will work under the guidance of the UNDP Project Manager for substantive aspects of the assignment and under the direct supervision of the UNDP Project Officer for administrative aspects.

The consultant is expected to cooperate closely with delegated representatives of the Union of Lawyers of the Republic of Moldova. The consultant is also expected to engage with the Ministry of Justice, the Legal Information Resources Agency subordinated to the Ministry of Justice (ARIJ), the E-Governance Agency, Information Technology and Cyber Security Service (STISC), Center for Personal Data Protection and other relevant state institutions.

An UNDP National Legal Consultant will support the National ICT Consultant and provide necessary substantive support as well as contribute to facilitation of the process of organizing and conducting required tasks in the context of the assignment.

All the deliverables shall be submitted in Romanian language, in electronic format.

Before submission of final deliverables, the consultant will discuss the draft documents with the parties involved, so that the final products reflect their comments.

V. Financial Arrangements

Payment will be disbursed in several instalments upon submission and approval of deliverables by the A2J4Dignity Project Officer and certification by the Project Manager that the services have been satisfactorily performed.

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 instalments 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 shall include a breakdown of this lump sum amount (including fee, taxes, communication costs and number of anticipated working days).

VI. Confidentiality

Materials provided to the Consultants and all proceedings within the consultancy contract shall be regarded as confidential, both during and after the consultancy. Violation of confidentiality requirements may result in immediate termination of contract.

VII. Qualifications and skills required:

Academic Qualifications:

- Master's Degree (or 5 years university degree) in IT management, Computer Sciences, computer engineering or other relevant discipline;

Work experience:

- At least 5 years of progressively responsible experience in planning, design, development, implementation and maintenance of information systems;
- Previous proven experience (*at least 3 track records*) in conducting assessments and evaluations of complex ICT systems and infrastructures;
- Previous proven experience (*at least 2 track records*) in carrying out and/or managing projects related to development of strategic documents connected to the ITC area;
- Working experience with justice sector and/or government institutions is a strong advantage;
- Previous working experience with international organizations, including UN Agencies, USAID, World Bank, E Governance Agency will be an advantage.

Competencies:

- Excellent knowledge and understanding of management of ICT projects;
- Excellent knowledge of ICT policies and regulatory framework of the Republic of Moldova;
- Excellent understanding of internationally recognized standards and best practices (e.g. OWASP, ITIL, ISO/IEC 270002, etc.) is desirable;
- 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 Romanian and English. Knowledge of Russian will be an asset.
- 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. Please mention in CV if you belong to the group(s) under-represented in the UN Moldova and/or the area of assignment.
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.

VIII. Documents to Be Included When Submitting the Proposals

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

- Offeror's letter to UNDP confirming interest and availability for the individual contractor (IC) assignment, incorporating Financial proposal 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.*
- Proposal (Motivation Letter) explaining why they 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, including information, links/copies of documents to support the required work experience and competences);
- Technical proposal (incl. brief description of approach and methodology for the completion of the assignment);
- Duly completed and updated personal CV with at least 3 references.

Important notice: The applicants who have the statute of Government Official / Public Servant prior to appointment will be asked to submit the following documentation:

- a no-objection letter in respect of the applicant received from the Government, and;
- the applicant is certified in writing by the Government to be on official leave without pay for the entire duration of the Individual Contract.

IX. Evaluation

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

- Master's Degree (or 5 years university degree) in IT management, Computer Sciences, computer engineering or other relevant discipline;
- At least 5 years of progressively responsible experience in planning, design, development, implementation and maintenance of information systems.

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
<u>Technical</u>		
Master’s Degree (or 5 years university degree) in IT management, Computer Sciences, computer engineering or other relevant discipline	<i>Master’s degree – 10 pts.</i>	10
At least 5 years of progressively responsible experience in planning, design, development, implementation and maintenance of information systems	<i>5 years – 35 pts., each additional year of experience – 15 pts. up to a maximum of 65 points;</i>	65
Previous proven experience (<i>at least 3 track records</i>) in conducting assessments and evaluations of complex ICT systems and infrastructures	<i>None – 0 pts, three assignments – 30 pts, more than three assignments (15 points per additional assignment) – up to a maximum of 60 pts.</i>	60
Previous proven experience (<i>at least 2 previous assignments</i>) in carrying out and/or managing projects related to development of strategic documents connected to the ITC area	<i>None – 0 pts, two assignments – 30 pts, more than two assignments (20 points per additional assignment) – up to a maximum of 70 pts.</i>	70
Working experience with justice sector and/or government institutions is a strong advantage	<i>None – 0 pts, two assignments – 20 pts, more than two assignments (10 points per additional assignment) – up to a maximum of 40 pts.</i>	40
Previous working experience with international organizations, including UN Agencies, USAID, World Bank, E Governance Agency will be an advantage	<i>None – 0 pts, two assignments – 10 pts, more than two assignments (10 points per additional assignment) – up to a maximum of 30 pts</i>	30
Fluency in Romanian and English. Knowledge of Russian is an asset	<i>Each language 5 pts, up to 15 pts.</i>	15
Belonging to the group(s) under-represented in the UN Moldova and/or the area of assignment	<i>no – 0 pts., to one group – 5 pts., to two or more groups – 10 pts.</i>	10
Maximum Total Technical Scoring		300

<u>Financial</u>	
Evaluation of submitted financial offers will be done based on the following formula: <u>S = Fmin / F * 200</u> 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	200

Winning candidate

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