



Empowered lives.  
Resilient nations.

Date: 7 August 2012

## INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

for individual consultants and individual consultants assigned by consulting firms/institutions

Country:	Viet Nam
Description of the assignment:	<b>One Individual International Consultant</b> and <b>one Individual National Consultant</b> for the Mid-term Evaluation of the project “Strengthening Access to Justice and Protection of Rights in Viet Nam”
Project name:	Project 58492
Period of assignment/services (if applicable):	August – October 2012

1. Submissions should be sent by email to: [nguyen.thi.hoang.yen@undp.org](mailto:nguyen.thi.hoang.yen@undp.org) no later than: **17.00 hrs., 17 August 2012 (Hanoi time)**.

**With subject line: International consultant/ or National consultant for the Mid-term Evaluation of the project 58492**

Submission received after that date or submission not in conformity with the requirements specified this document will not be considered.

Any request for clarification must be sent in writing, or by standard electronic communication to the address or e-mail indicated above. Procurement Unit – UNDP Viet Nam will respond in writing or 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 consultants.

2. Please find attached the relevant documents:

- [Terms of Reference \(TOR\)](#)..... (Annex I)
- [Individual Contract & General Conditions](#)..... (Annex II)
- [Reimbursable Loan Agreement](#) (for a consultant assigned by a firm) & [General Conditions](#) (Annex III)
- [Insurance Coverage Table](#)..... (Annex IV)
- [Vendor Form](#) ..... (Annex V)
- [Guidelines for CV preparation](#)..... (Annex VI)
- [Format of financial proposal](#)..... (Annex VII)

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

a. Technical component:

- Curriculum vitae
- Expression of interest, explaining why he/she is the most suitable for the work.
- Copy of 1-3 publications/writing samples.
- Contact reference of past 4 clients for whom you have rendered preferably the similar service

b. Financial proposal:

- The financial proposal shall specify a total lump sum amount in **US Dollar (for International Consultant)** and in **Viet Nam Dong (for National consultant)** including consultancy fees and all associated costs i.e. airfares, travel cost, meal, accommodation, tax, insurance etc. – see format of financial offer in Annex VII.
- Please note that the cost of preparing a proposal and of negotiating a contract, including any related travel, is not reimbursable as a direct cost of the assignment.
- If quoted in other currency, prices shall be converted to the above currencies at UN Exchange Rate at the submission deadline.

Please note: For the consultancy firm/institution/organization, please provide the above information **of the assigned consultant (only ONE) for this service**, not the experience and information of **YOUR firm**.

#### 4. Evaluation:

The international consultant and national consultant will be evaluated and selected separately. The technical component will be evaluated using the following criteria:

##### For international consultant:

<b>Consultant's experiences/qualification related to the services</b>		
	<b>Criteria</b>	<b>Maximum Points</b>
1	Professional background and expertise	200
2	Experience in development project in the area of rule of law & access to justice/ legal and judicial reform	200
3	Understanding of democratic governance issues in Asia and/or countries in transition; Preferably with in-depth knowledge of legal/judicial reforms and legal aid at national and/or sub-national levels in Vietnam	250
4	Strong analytical, conceptual and facilitation skills	100
5	Excellent team leadership and proven ability to work with diverse stakeholders in politically sensitive areas	100
6	Knowledge of donor support work in developing countries is essential. Familiarity with UNDP policies and programming practices is desirable	150
	<b>TOTAL</b>	<b>1000</b>

##### For National consultant:

<b>Consultant's experiences/qualification related to the services</b>		
	<b>Criteria</b>	<b>Maximum Points</b>
1	Professional background and expertise	150
2	Knowledge and experience organization and operation of state apparatus and legal/judicial reform process in Viet Nam	400
3	Experience in conducting evaluations	150
3	Good skills of writing and presenting the report	100
4	Fluency in written and spoken English	200
	<b>TOTAL</b>	<b>1000</b>

A two-stage procedure is utilized in evaluating the submissions, with evaluation of the technical components being completed prior to any price proposals being opened and compared. The price proposal will be opened only for submissions that passed the minimum technical score of 70% of the obtainable score of 1000 points in the evaluation of the technical component.

The technical component is evaluated on the basis of its responsiveness to the Term of Reference (TOR).

Maximum 1000 points will be given to the lowest offer and the other financial proposals will receive the points inversely proportional to their financial offers. i.e.  $S_f = 1000 \times F_m / F$ , in which  $S_f$  is the financial score,  $F_m$  is the lowest price and  $F$  the price of the submission under consideration.

The weight of technical points is 70% and financial points is 30%.

Submission obtaining the highest weighted points (technical points + financial points) will be selected.

An interview with the candidate given the highest combined score may be held before contract awarding, if deemed necessary.

## 8. Contract

“Lump-sum” Individual Contract will be applied for freelance consultant (Annex II)

“Lump-sum” RLA will be applied for consultant assigned by firm/institution/organization (Annex III)

Documents required before contract signing:

- Personal History
- International consultant whose work involves travel is required to complete the course on Basic Security in the Field and submit certificate to UNDP before contract issuance.

Note: The Basic Security in the Field Certificate can be obtained from website: <http://training.dss.un.org>. The training course takes around 3-4 hours to complete. The certificate is valid for 3 years.

- Full medical examination and Statement of Fitness to work for consultants from and above 62 years of age and involve travel. (This is not a requirement for RLA contracts).
- Release letter in case the selected consultant is government official.

## 9. Payment

UNDP shall effect payments to the consultant (by bank transfer to the consultant’s bank account provided in the vendor form (Annex V) upon acceptance by UNDP of the deliverables specified the TOR.

1st payment: 20% of total contract value will be paid upon UNDP’s acceptance of the expert’ detailed work-plan.

2nd payment: 40% of total contract value will be paid upon UNDP’s submission of draft evaluation report to UNDP no more than 5 working days after the mission in Hanoi.

3<sup>rd</sup> and final payment: 40% of total contract value will be paid upon UNDP’s satisfactory acceptance of the final evaluation report.

If two currencies exist, UNDP exchange rate will be applied at the day UNDP instructs the bank to effect the payment.

10. Your proposals are received on the basis that you fully understand and accept these terms and conditions.



## **TERMS OF REFERENCE (TOR)**

TITLE:	One International Consultant and one National Consultant for the Mid-term Evaluation of the project “Strengthening Access to Justice and Protection of Rights in Viet Nam”
PROJECT	Project 58492
COUNTRY OF ASSIGNMENT:	Home-based with one mission in Hanoi, Viet Nam

### **1) GENERAL BACKGROUND**

The project “**Strengthening Access to Justice and Protection of Rights in Viet Nam**” is an UNDP-supported project and executed by the Ministry of Justice (MOJ) and other co-implementing agencies. The project has been launched 27 November 2009 with the duration of five years.

The project aims to strengthen access to justice and protection of rights in Viet Nam, with technical assistance to the MOJ and other partners to realize the country’s priorities in the process of legal and judicial reform through the following key areas of interventions and components:

1. Continuous support to the implementation of the Legal System Development Strategy to the Year 2010 with direction for the period up to 2020 (LSDS), and the Judicial Reform Strategy to 2020 (JRS);
2. Strengthening partnership and policy dialogue between government, donors and other social organizations to implement the LSDS and JRS;
3. Development of strategic vision and mandate for the state justice branch, and enhancement of MOJ’s capacity on law implementation, justice sector planning and other requirements of MOJ in Vietnam’s transition to middle income status;
4. Promotion of access to justice, protection of rights and legal empowerment of the poor in Vietnamese context;
5. Support to implementation of Judicial Reform Strategy through cross-cutting research and new initiatives.

Since the project has been implemented for over two (2) years, a mid-term review is planned to assess project’s progress against outputs and to identify appropriate recommendations for the project to reach its overall objectives. A team consisting of one (1) international and one (1) national consultant will be recruited to conduct the evaluation according requirements set forth in this Terms of Reference (TOR).

### **2) OBJECTIVES AND SCOPE OF THE ASSIGNMENT**

Overall the mid- term evaluation aims to provide

- An outcome-oriented assessment which goes beyond assessment of project activities and focus on the project’s relevance and contribution to realize the country’s priorities on legal and judicial reform; and
- A forward-looking assessment of the relevance of the project toward development priorities and needs;

More specific objectives of the evaluation are:

- To assess the relevance of the project in the context of legal and judicial reforms in Vietnam and the support provided by other donors;
- To assess progress and impact of the project’s overall performance, accomplishment of its sub-components against the key target outcomes;
- To assess the progress, achievement and particular constraints experienced by the Implementing Partners, including MOJ and the participated Departments, Secretariat for Judicial Reform;

### 3) SCOPE OF WORK, METHODOLOGY AND EXPECTED OUTPUTS

The mission will be composed of one international consultant and one national consultant:

- International consultant shall have the overall responsibility for the completion and delivery of outputs under this ToR. S/he will supervise and lead the mission in all aspects of the work, and ensure that the final products take into account the suggestions and agreements of all stakeholders.
- National consultant: S/he will ensure that country-specific conditions, institutions, processes, and decision-making and learning approaches are well understood and considered in the work conducted by the mission. S/he will review the mission's proposals and suggestions from the point of view of their feasibility and effectiveness. S/he will work closely with the international consultant and provide inputs to the mission members on the development and implementation of laws, legal/judicial institutions, and non-State actors in the legal and judicial system in Vietnam.

#### 3.1 The Project evaluation is expected to address the following specific issues:

- The interim results with regard to expected progress;
- The efficiency of Project management and implementation;  
The need, demand and justification for change having regards to implementation strategies of the project, priorities and ultimate outcomes. Recommendations should take into account the implications of any variances in the development context, in particular, taking into account the progress of advancing rule of law and access to justice in Viet Nam.
- The further promotion and integration of specific cross-cutting issues, including anti-corruption, gender mainstreaming, human rights, poverty reduction strategies and MDGs, engagement of civil society. The mission should seek to incorporate into the Project strategies and work plans concrete and feasible initiatives that could further the reform agenda on such issues.
- Lessons learned, including the identification of good and bad practices in terms of the project implementation, aid co-ordination, knowledge sharing and management, etc. In this connection, recommendations should be made on ways to promote sharing of good practices.

#### 3.2 Expected outputs from this Evaluation Mission are:

- **A debriefing on initial findings of the mid-term review:** to be held at the end of the mission in Hanoi;
- **A draft evaluation report:** presenting the findings, conclusions, and recommendations of the evaluation to be submitted by the evaluation team five working days upon completion of the mission in Hanoi.
- **A final evaluation report:** taking into account the comments and suggestions provided by the stakeholders on the draft evaluation report. The final version of the report has to be submitted within two weeks after receiving the stakeholders' comments on the draft report.

#### 3.3 Proposed methodology

The mid-term assessment shall be a participatory exercise considering the views and suggestions of a wide range of related stakeholders and beneficiaries within and outside the context of the Project.

The assessment should be carried out in the sequence of actions as follows:

- 3 working day home-based for
  - Documentation review (desk study) and preliminary consultations with UNDP and the MOJ: home-based;
  - Preparation of a detailed working schedule for the mission in Hanoi: home-based
- 5 working day mission in Hanoi to:
  - Interviews/ meetings with project stakeholders;
  - Analysis of the information collected and preparation of first draft of the report by end of the mission in Hanoi; and
  - Debriefing, information validation, and preparation of the final version of the evaluation report (before departure from Vietnam);
- 10 working days home-based: for finalization of the evaluation report in consultation with UNDP and MOJ.

#### 4) ASSIGNMENT DURATION, DUTY STATION AND EXPECTED PLACES OF TRAVEL

Each consultant will work in for **20 consultancy days** for this assignment including **5 working days** for the mission in Hanoi, Viet Nam.

Bidders have to make their own estimate of the time and travel taken to complete the assignment in line with this TOR and use the estimate as the basis of the financial proposals to be submitted.

#### 5) PROVISION OF MONITORING AND PROGRESS CONTROLS

The Evaluation Team will consist of 2 consultants: one international consultant and one national consultant. The consultants will work under the supervision of the UNDP Programme Officer in charge of the project and report to Head of the Governance and Participation Team, UNDP Viet Nam.

The partner agencies and the project office will be responsible for facilitating the mission, providing all documents and reference materials required to conduct the evaluation. They will also be involved in interviews, briefings and debriefings.

The deliverables and reports should be submitted as per the agreed plan. The findings of the mission should be disaggregated by gender where possible and should follow the ethical code of conducts for UNDP evaluations.

Provide final report as per 3 above to UNDP in accordance with the indicative timeline below.

Event	Date	Responsibility
Selection of expert	August 2011	UNDP
Desk review and preparation for the mission in Viet Nam	August	International expert, national expert, MOJ, UNDP
Mission in Hanoi, Viet Nam	One week in September	International expert, national expert, MOJ, UNDP
Submission of draft evaluation report to UNDP no more than 5 working days after the mission	September-October	International expert, national expert
Submission of the final report incorporating UNDP and MOJ comments 10 days after receiving comments from UNDP and MOJ on the draft report	October 2012	International expert, national expert

According to the indicative timelines above, the selected expert will report to UNDP on the working progress on a regular basis and will submit drafts of TOR-required deliverables to UNDP and MOJ for discussion and comment.

#### 6) EXPERTISE AND QUALIFICATION OF CONSULTANTS

For international expert:

- Advance university degree or equivalent in law, political science or public policy with at least 12 years of professional experience in legal reforms and practice
- Extensive international experience in the area of developing and implementing legal/judicial reform programme, rule of law and access to justice practices for/with governments, and/or international organizations preferably in developing countries having similar context with Viet Nam
- In-depth understanding of democratic governance issues in Asia and/or countries in transition
- Knowledge of donor support work in developing countries is essential. Familiarity with UNDP policies and programming practices is desirable
- Preferably with in-depth knowledge of legal/judicial reforms and legal aid at national and/or sub-national levels in Vietnam
- Strong analytical, conceptual and facilitation skills
- Excellent team leadership and proven ability to work with diverse stakeholders in politically sensitive areas
- Excellent oral and written communication skills, including fluency in written and oral English

The consultant must have extensive experience of strategic programming of development assistance within the broad area of democratic governance, and in-depth knowledge of legal reform and legal development at national or sub-national levels, particularly in Vietnam.

For national expert:

- Advance university degree or equivalent in law, political science or public policy with at least 12 years of professional experience in legal reforms and practice
- At least 10 years of experience in legal and judicial field in Vietnam
- Knowledge and practical experiences on organization and operation of state apparatus and legal/judicial reform process in Viet Nam
- Experience in conducting evaluations is desirable
- Good skills of writing and presenting the report.
- Fluency in written and spoken English

The consultant must have extensive experience in institutional capacity building, and training and learning for legal and judicial officials, as well as in-depth knowledge of the legal and judicial system of Vietnam and donor assistance in the sector. English proficiency is a must.

**Note:** The team members should be selected from those, who **have not** been involved in the project in one form or the other, be it project formulation or implementation.

## 7) ADMIN SUPPORT AND REFERENCE DOCUMENTS

Admin support for the mission will be provided by the Project Management Unit (PMU) in cases of necessary.

An interpreter will be mobilized by the project to do translation and interpretation when necessary during the mission of the international consultant in Hanoi.

UNDP will extend support to the international consultant for arranging visa for Vietnam. Necessary documents will be forwarded to the consultants in advance by the PMU.

The following documents will be provided to the Evaluation Team upon contract award:

- One UN documents (One UN Plan 2, One Plan 3)
- Project Document (DPO)
- LSDS and JRS
- Project Annual Work Plans, Annual Project Reports
- Project activities' reports
- Any other materials deemed useful and necessary
- [Guidelines for Reviewing the Evaluation Report:](#)
- [Ethical Code of Conduct for Evaluation in UNDP](#)

## 9) REVIEW TIME REQUIRED AND PAYMENT TERM

First payment of 20% of the total contract value will be paid upon UNDP acceptance of the expert' detailed work-plan.

40% of the contract value will be made upon submission of draft evaluation report to UNDP no more than 5 working days after the mission in Hanoi.

Last payment of 40% total contract value will be made upon UNDP satisfactory acceptance of the final evaluation report.

## **Annex VI**

### **GUIDELINES FOR PREPARING CV**

WE REQUEST THAT YOU USE THE FOLLOWING CHECKLIST WHEN PREPARING YOUR CV:

Limit the CV to 3 or 4 pages

NAME (First, Middle Initial, Family Name)

Address:

City, Region/State, Province, Postal Code

Country:

Telephone, Facsimile and other numbers

Internet Address:

Sex, Date of Birth, Nationality, Other Citizenship, Marital Status

Company associated with (if applicable, include company name, contact person and phone number)

#### **SUMMARY OF EXPERTISE**

Field(s) of expertise (be as specific as possible)

Particular development competencies-thematic (e.g. Women in Development, NGOs, Privatization, Sustainable Development) or technical (e.g. project design/evaluation)

Credentials/education/training, relevant to the expertise

#### **LANGUAGES**

Mother Tongue:

Indicate written and verbal proficiency of your English:

#### **SUMMARY OF RELEVANT WORK EXPERIENCE**

Provide an overview of work history in reverse chronological order. Provide dates, your function/title, the area of work and the major accomplishments include honorarium/salary. References (name and contact email address) must be provided for each assignment undertaken by the consultant that UNDP may contact.

#### **UN SYSTEM EXPERIENCE**

If applicable, provide details of work done for the UN System including WB. Provide names and email address of UN staff who were your main contacts. Include honorarium/salary.

#### **UNIVERSITY DEGREES**

List the degree(s) and major area of study. Indicate the date (in reverse chronological order) and the name of the institution where the degree was obtained.

#### **PUBLICATIONS**

Provide total number of Publications and list the titles of 5 major publications (if any)

#### **MISCELLANEOUS**

Indicate the minimum and maximum time you would be available for consultancies and any other factors, including impediments or restrictions that should be taken into account in connection with your work with this assignment.

Please ensure the following statement is included in the resume and that it is signed and dated:

I CERTIFY THAT ALL INFORMATION STATED IN THIS RESUME IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE. I AUTHORIZE UNDP/UNOPS OR ITS AGENT TO VERIFY THE INFORMATION PROVIDED IN THIS RESUME.

(Signature)



