LCRM – Legal Resources Centre from Moldova

DEADLINE EXTENDED: Request for Proposal for an International Consultant to conduct the assessment of integrity inspectors' practice

Jomir Dumitru · Tuesday, January 11th, 2022

Assessment of integrity inspectors' practice related to assets, conflicts of interest and incompatibilities verification of high-level officials, under the "Support Integrity and Anticorruption efforts in Moldova through active civil society oversight" project implemented by the Legal Resources Centre from Moldova with the support of the U.S. Department of State, INL program.

Launch date: 14 December 2021
Extended deadline: 17 January 2022

Job title: International Consultant
Period of assignment: February – March 2022

1. BACKGROUND

The Legal Resources Centre from Moldova (LRCM) is a non-profit organization that contributes through research and advocacy to strengthening democracy and the rule of law in the Republic of Moldova, with focus on justice, fight against corruption, human rights and civil society. We are independent and non-partisan. The LRCM promotes an independent, efficient, and accountable judiciary, respect of human rights, an enabling environment for civil society and democracy. For that end, we identify problems with systemic impact, bring them into the public agenda, propose solutions, react to abuses and mobilize partners for positive change. More information on LRCM activity is available at www.old2.old.crjm.org.

The LRCM believes in democracy, rule of law, human rights and values of an open society and is guided by the following principles:

1. a) Professionalism and respect for professional ethics,
2. b) Integrity and transparency,
3. c) Human rights approach,
4. d) Gender balance,
5. e) Proactive and constructive attitude to changing things for better,

6. f) Team spirit and participatory approach in strategic decision making,
7. g) Political non-affiliation.

2. CONTEXT

Under its project “Support Integrity and Anticorruption efforts in Moldova through active civil society oversight” implemented with the support of the U.S. Department of State, INL program, LRCM seeks to have a direct impact towards (1) Anticorruption policies adopted in line with best international practices and (2) More transparent and accountable state anticorruption agencies.

The project’s key activities include: close monitoring of legislative initiatives and public policies influencing the anticorruption and public integrity agencies effectiveness; timely reactions and awareness raising on the potential policy and legislation that is not in line with best international and European standards and practices; advocacy for improvement of the anticorruption legislation; monitoring the activity and efficiency of key integrity and anticorruption bodies and monitoring high profile corruption cases.

The project foresees that stakeholders and general public will be better informed about the efficiency and transparency of state anticorruption agencies; continuous public pressure on decision-makers and anticorruption agencies will create the necessary conditions to operate transparently and responsibly. In the same pursuit, deficient anticorruption policies and legislation will be timely spotted and will be called for improvement.

3. PURPOSE OF ASSIGNMENT

LRCM seeks to contract a consultant / team of consultants (hereinafter referred to as – *the Consultant*) to undertake the assessment of integrity inspectors’ practice related to assets, conflicts of interest and incompatibilities verification of high level officials.

Objectives of the Assessment:

- Assessing the uniformity and consistency of the integrity inspectors’ practice related to assets, conflicts of interest and incompatibilities;
- Analysis of the fact finding documents regarding high level officials (if there is a selective approach);
- Analysis of the most common types of violations identified by integrity inspectors and the subjects who committed these violations;
- Analysis of the workload of integrity inspectors;
- Assessment of the duration of the investigations;
- Identification of eventual legal or practical deficiencies in the activity of the integrity inspectors / or at the consistency of the fact finding acts.

Tasks:

The Consultant is expected to conduct an assessment to identify legal and practical deficiencies affecting the quality of fact-finding documents issued by integrity inspectors. The expert will be

involved, together with LRCM team in the following activities:

- Elaboration of the methodology of the study, in close cooperation with LRCM;
- Elaboration of the study;
- Presentation of the study during a public event (on-line or offline).

3. METHODOLOGY AND COOPERATION WITH LRCM TEAM

The Consultant will elaborate the methodology for the analysis using both quantitative and qualitative approaches. LRCM expects the Consultant to use the following methods: desk review of the relevant legislation, regulations, fact-findings documents (integrity inspectors' practice), statistics, relevant reports and individual interviews and/or focus groups, as well as other methods as deemed appropriate by the Consultant. The Consultant shall consult the methodology with LRCM prior to initiating the evaluation.

The LRCM team will work with the Consultant and will provide technical and logistical assistance to the Consultant in conducting the assignment. In particular, the LRCM team will present the relevant information for the analysis, such as legislation, fact-findings documents, including translations, if necessary, or summaries, reports, surveys and statistics, will arrange the interviews / focus groups and other necessary activities for the purpose of the assignment. Additional data can be collected by the LRCM team at the request of the Consultant. The LRCM will provide comments on the draft assessment report, will translate it into Romanian, if necessary, and will organize the public event to present the final assessment.

4. KEY DELIVERABLES

The Consultant shall provide the following deliverables:

- Methodology, including research questions and interview/focus groups questionnaires;
- Draft assessment report, including conclusions and recommendations;
- Final assessment report, including final conclusions and recommendations;
- Presentation of the assessment report during a public event in Chisinau, Moldova (or on-line), including a PPT presentation.

All deliverables shall be presented in English or Romanian. The report format will be agreed upon with the Consultant prior to commencing the assignment.

The final report, as well as other documents prepared under the assignment, must prove high quality and expertise. The findings, analysis, conclusions and recommendations should be thorough, concrete and realistic and presented in a logical structure, according to their importance and level of details.

Minimum quality standards will be required for the acceptance of the deliverables and following performance indicators will be considered for the final evaluation of the deliverables.

- Consultancy delivered with accuracy and high responsibility.

- Compliance with the established timelines and requirements;
- Proof of good cooperation with LRCM and other counterparts, the consultant is expected to act as a team member rather than as an external consultant;
- The Consultant shall keep constant interaction and communication with LRCM team and other relevant stakeholders, as well as to demonstrate proactive attitude and interest;
- Seek to deliver valuable, original results, and demonstrate genuine interest in the final presentation of the Study;
- Deliver relevant conclusions and recommendations for the project purpose.

5. TIMEFRAME

Total duration of the assignment will not exceed 10 working days.

The deliverables are expected to be delivered as per the timeline below:

- Draft methodology, including research questions **by 7 February 2021;**
- Draft assessment report, including conclusions and recommendations – **by 28 February 2022;**
- Final assessment report, including final conclusions and recommendations – **by 11 March 2022;**
- Presentation of the assessment report during a public event in Chisinau, Moldova (or on-line), including a PPT presentation – **by 17 March 2022.**

The intermittent timeline will be agreed upon with the Consultant prior to commencing the assignment.

6. REQUIREMENTS FOR THE CONSULTANT

The Consultant (company or individual) shall have proven experience in conducting similar assessments with at least 5 years of experience. Additional requirements include:

1. good knowledge of Moldovan or regional rule of law context;
2. record of participation in minimum one assignment of similar evaluation or degree of complexity in the last 5 years;
3. good knowledge about integrity inspectors' practices and relevant expertise for the context of the project,
4. excellent writing, analytical, reporting and communication skills;
5. proficiency in English. Knowledge of Romanian is an advantage.

7. EVALUATION AND SELECTION PROCESS

Stage 1: Compliance check

At this stage, a review of formal requirements will be conducted. It includes screening of the application on the basis of ToR and checking the completion of all application components (CV, Methodological approach, financial offer and others as per the ToR). The compliance check is

executed by the Director of Administrative Service and the Administrative Assistant.

Stage 2: Evaluation of the full application

At this stage, a review of formal requirements will be conducted by the Procurement Committee. The cumulative method will be applied in the evaluation of the applications. The contract will be awarded to the candidate achieving the highest cumulative score from the technical and financial parts of the proposal. The technical proposal accounts for 70% of the total score and the financial proposal will account for 30% of the total evaluation score. The calculation criteria of the Financial Offer will be based on a percentage proportion, awarding 100% (equivalent to 30 points) to the lowest financial bid submitted.

The offers will be evaluated based on the following criteria:

Criteria	***Max. point***
Technical offer	
Envisaged methodology and action plan, including evaluation tools for the assignment	30
Knowledge of Moldovan or regional rule of law context	15
Participation in previous similar assignments	10
Experience in conducting similar assessments	15
Financial offer	**30**
TOTAL	***100***

8. APPLICATION PROCEDURE

Offers may be submitted by individual candidates and/or legal entities. The signed and dated offer shall be sent by e-mail to applications@old2.old.crjm.org by **17 January 2022**, including the following components:

- the copy of the **registration certificate/extract** for the legal person and the **updated CV** of the candidates, together with a **Cover letter**, which will contain: interest in the assignment and a short description of previous portfolios/beneficiaries, including links or attached relevant similar assignment(s);
- An outline of the **envisaged methodology** for the assignment (outlining the overall approach and suggested methods), including a proposed **action plan** to achieve the key deliverables within the proposed timeline (up to two pages);
- **financial offer in USD**, with the breakdown of costs (consultancy fee per number of anticipated working days, translation costs, if any, eventual travel and accommodation to Moldova (the travel is not mandatory). Offers submitted in any other currency will be converted at the official exchange rate of the National Bank of Moldova at the deadline date for submitting the offers;

For local resident candidates: (a) **legal entities** are invited to send their financial offers with the application of the VAT exemption with deduction right. The confirmative documents for VAT exemption will be presented by the beneficiary; (b) **individual candidates** – NET amount.

For foreign individual candidates/legal entities, if selected:

- if any eventual travel to Moldova, the tax resident certificate issued by the relevant tax authority

of the origin country will be requested. Upon presentation of the certificate of residence for tax purposes based on the Convention for the avoidance of double taxation, the Consultant will have the sole responsibility for the payment of all applicable taxes relating to Expert and Expert's employees arising from payments to be received;

- If during the execution of the Contract the services will be provided online from the Provider's country of residence, the Consultant will have the sole responsibility for the payment of income taxes relating to Expert and Expert's employees arising from payments to be received.
- VAT exemption shall be applied in full compliance with the tax legislation for the import of services applicable to the project "Support Integrity and Anticorruption efforts in Moldova through active civil society oversight" implemented by the LRCM with the support of the U.S. Department of State, INL program. The confirmative documents for VAT exemption will be presented by the beneficiary.

Disbursement and payment modalities will be agreed upon later. For any clarifications on the assignment, please e-mail at applications@old2.old.crjm.org.

CONFLICT OF INTERESTS

In case of a conflict of interests, real or potential, with the members or employees of the LRCM, the candidate is obliged to declare it in a written document enclosed with the application.

NOTE: LRCM reserves the right not to choose any candidate in case the offers received do not meet the desired requirements mentioned in this ToR or its budget.

LRCM is an inclusive and diversity-friendly employer. We value difference, promote equality and challenge discrimination, enhancing our organisational capability. We welcome and encourage application from all qualifying candidates. We do not discriminate on the basis of disability, race, colour, ethnicity, gender, religion, sexual orientation, age, marital or parental status or other category protected by law. All applications will be treated with strictest confidence.

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