

**TERMS OF REFERENCE**

**Call for Local Tenders**

**For the Provision of Consultancy Services for**

**Corruption Proofing of Legislation and Other Documents**

**EU Anti-Corruption Initiative (EUACI)**



# Abbreviations

|  |  |
| --- | --- |
| AC | Anti-corruption |
| ACS | Anti-corruption Strategy |
| CAP | Committee on Anti-Corruption Policy of the Verkhovna Rada of Ukraine |
| EU | European Union |
| SACP | State Anti-Corruption Program |

**Background and context:**

The EU emphasises the fight against corruption as an important part of its accession process, highlighting the need for a culture of integrity and robust AC measures. In November 2023, the EU recognized Ukraine's progress, recommending opening accession negotiations in its 2023 progress report. This marked a significant step in EU-Ukraine relations, with accession negotiations beginning the following months.

The requirements to progress within the AC field are included in the accession negotiations, mainly chapter 23 and 24, the annual Progress Report and several other framework documents for Ukraine’s wartime and reconstruction support, such as the EU Facility Plan and the IMF Country Report under the IMF Extended Fund Facility.

Based on the significant results of the joint Danish and EU Anti-Corruption Initiative (EUACI) Phase II 2020-2024, Denmark and the EU engaged in a third phase of the programme aimed at supporting Ukraine in its efforts to reduce corruption at the national and local level through the empowerment of citizens, civil society and state institutions. The EUACI Phase III strategic objectives are that: corruption in Ukraine is reduced; Ukraine advances with anti-corruption reform; and the reconstruction in war-affected areas of Ukraine is implemented within a framework that incorporates transparency, accountability and integrity.

The Committee on Anti-Corruption Policy of the Verkhovna Rada of Ukraine (CAP) plays an important role in strengthening the overall AC legal and institutional framework through improving the legislative framework for their operations. CAP is therefore one of the important EUACI partners whom the programme plans to support during the Phase III.

**Contracting authority:**

The Contracting Authority is the Ministry of Foreign Affairs of Denmark, European Union Anti-Corruption Initiative in Ukraine (EUACI).

**Objective:**

The objective of this assignment is to provide expert services for corruption proofing of legislation and other documents of the CAP. This will be achieved through concluding a mid-term contract with a successful tenderer.

**Scope of Work and Indicative Outputs and Deliverables:**

Contractor will be required to provide management of hiring and services delivering by experts related to the bellow mentioned directions:

* Providing analytics and proposals on corruption proofing of draft legislation;
* Providing policy and legal advice on different aspects of anti-corruption policy with due attention to international standards and best practices;
* Other analytical services related to the sphere of anti-corruption based on the CAP leadership requests.

**Expected deliverables:**

The following list of deliverables is preliminary and non-exhaustive. Deliverables are expected to be provided in Ukrainian. Electronic copies should be sent by email to the particular EUACI and CAP contact persons. Deliverables under the assignment will therefore constitute the proposals to the legislative drafts’ amendments, draft conclusions of CAP regarding corruption risks and related issues.

The EUACI reserves the right to request deliverables not explicitly mentioned in the list but related to the field of expertise object of the contract to be concluded (based on the CAP leadership requests).

During the assignment, the expert or team of experts shall work closely with the CAP leadership and/or staff assigned by CAP leadership, and shall perform desk reviews and consultations. The expert shall make use of all relevant materials provided by the EUACI or its beneficiary institutions.

Language of deliverables: Mostly Ukrainian, English might be used of minor part of deliverables.

**Requirements to the Service Provider:**

Tenderers shall demonstrate that they fulfil the following criteria:

* Registration as a legal entity, or private entrepreneur or NGO according to Ukrainian legislation;
* Experience on management of project teams supporting to Governmental reforms’ processes;
* Commitment of confidentiality and conflict of interest resolution;
* Adopted transparent procurement and financial policies is required;
* Proven experience in cooperation with the EU or other donor funded project will be advantage.

**Timing, Estimated Budget and Level of Effort:**

The duration of this assignment is estimated to be 12 months starting from the signing of the contract.

The total level of effort depends on the intensity of the CAP requests, with the approximate estimation of 6 to 10 working days per month. The average number of draft laws to be corruption-proofed ranges from 5 to 20 per month, each differing in its volume and complexity.

The total budget under a contract will not exceed EUR 33,000.

The fees agreed during the conclusion of the contract are final and not subject to review. The contract does not presume covering travel, accommodation, or per diems.

**Bidding details:**

Potential service providers must submit the following information to be considered:

* CVs of a core project team (no more than 2 pages);
* Portfolio of no less than 3 relevant implemented projects;
* Concept proposals on expected project’s implementation;
* Budget with division of administrative costs and corruption proofing implementation costs.

**Tender submission:**

Tenders must be sent to the Ministry of Foreign Affairs of Denmark, the EUACI electronically to ievrom@um.dk and euaci@um.dk, before the close of business on 17 July 2024, with the email subject: “Tender: Corruption Proofing of Legislation and Other Documents for CAP”

# Evaluation criteria:

Bids will be evaluated under the criteria provided below:

|  |  |  |
| --- | --- | --- |
| **#** | **Criteria** | **Weight** |
| 1 | Criterion 1: Professional experience, consisting of the length of experience and the proven track record of practical expertise and achievements in the given field | 50% |
| 2 | Criterion 2: The quality of the concept proposals on expected project’s implementation | 30% |
| 3 | Criterion 3: Proposed budget (financial offer) | 20% |