

Appendix 2 – Terms of Reference

Regarding

**Senior Good Governance Consultant for EUACI’s support to Integrity Cities in Ukraine**

Date: 11-July-2024

The Consultant must perform the Services in accordance with the Client’s requirements.

The Consultant must also perform the Services in accordance with the Consultant’s description stated in Appendix 3C.

## Background and context

## 1.1 The EUACI Programme

The European Union Anti-Corruption Initiative (EUACI) Phase 3 is a joint EU and Government of Denmark programme aimed at assisting Ukraine in reducing corruption at the national and local level through the empowerment of citizens, civil society and state institutions.

The EUACI has 4 intervention areas, namely:

Area 1; that supports key state anti-corruption agencies in improving their effectiveness and independence;

Area 2; that supports the efforts of the Government of Ukraine to ensure transparent and accountable reconstruction

Area 3; that supports Integrity cities in their efforts to strengthen their integrity, transparency, and accountability;

Area 4: that supports Ukraine’s civil society and media with a view to increase awareness of and engagement in anti-corruption activities.

## 1.2 The partnership with Integrity Cities

The six integrity cities with which the EUACI has entered into a partnership under its intervention area 3 are Chernivtsi, Chervonohrad, Nikopol, Zhytomyr, Mariupol and Mykolaiv. Currently, there are no active projects in Mariupol. In Mykolaiv focus is mainly on transparency and integrity in the reconstruction of the city.

## Purpose

An important purpose of EUACI’s support at this stage is the consolidation of the developed integrity tools in the partner cities. This purpose will be achieved through the continued support of the partner cities use, adaptation, and institutionalization of the tools developed during phase 1 and 2. In addition, the EUACI will support a few new initiatives that will further strengthen integrity and transparency, including the minimization of corruption risks through the introduction of elements of corporate governance in some municipal owned enterprises.

## Objective

The objective of this particular assignment is to help partner cities ensuring the sustainability of the integrity tools developed with the support of the EUACI. Specifically, the success of the assignment will be assessed against progress made within the following output areas:

* Enhanced **capacities for strategic planning and monitoring** related to integrity. Development and implementation of the Municipal Integrity Plans for Integrity Cities and promoting their sustainability.
* **Integrity assessment of selected Municipal Owned Enterprises (MOEs)**. City administrations have expressed the desire to enhance the control mechanism in MoE to provide more transparency and accountability in their activities.
* Development and implementation of **risk minimization plans** and implementation of elements of corporate governance of MOEs in Integrity Cities.
* Development and implementation of **public analytical modules and dashboards** regarding the functioning of communal enterprises, in particular new e-tool designed for MOEs.
* Evaluating and presenting results of the Integrity Assessments of MOEs.

## Scope of work

## **Role of the Senior Good Governance Consultant**

The Senior Good Governance Consultant will be a **technical resource person** available to the EUACI, the partner cities and partners on the national level for the planning and implementation of activities in order to fulfil the objectives mentioned above. The Consultant will work closely with the EUACI office in Kyiv and EUACI’s advisors in the Cities to ensure coordination with and integration in Intervention Area 3 work plans and reporting. In this regard, the Consultant will play an active role in the successful implementation of activities in partner cities:

* Municipal Integrity Plans;
* Corruption Risks Assessment (CRA);
* Integrity assessments of MOEs;
* Public analytical modules and dashboards of MOEs;
* Implementation of elements of corporate governance of selected MOEs.

In the broadest sense, the scope of work includes all activities required to achieve the above- mentioned objective. In a more narrow sense, the duties and responsibilities of the Senior Good Governance Consultant include, but are not necessarily limited to, the following:

* regular consultation with the responsible staff at the EUACI office, the EUACI posted advisors to the mayors, and staff assigned by the municipalities and contracted service providers for the planning and implementation of Intervention Area 3 activities, including the character, timing and duration of inputs;
* contribution to the process of preparation and implementation of Corruption Risks Assessments (CRAs);
* contribution to the process of preparation, monitoring, evaluating of Municipal Integrity Plans (MIPs);
* contribution to the process of preparation of the Methodology of Integrity Assessment of communal enterprises, quality assurance of reports, preparation and implementation of risk minimization plans and evaluation and presentation of results of Integrity Assessments;
* contribution to the process of development and implementation of public analytical modules and dashboards of MOEs;
* implementation of corporate governance elements in the selected MOEs;
* development of ToR for finding suitable contractors and industry consultants.
* contribution with ideas, text, photos etc. for regular progress reports, documentation and communication activities;
* engage in other ad hoc activities as agreed between the EUACI and the City.

## 5. Deliverables (outputs)

Although the above scope of work is very much about guiding partners through a development process and helping them deliver the outputs in their results framework, this section translate the scope of work into some regular deliverables and specific outputs that the Consultant will be directly responsible for delivering.

The tables below summaries the tentatively identified regular and specific deliverables and outputs.

**Table 5.1: Regular Deliverables**

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| --- | --- | --- | --- |
| **#** | **Deliverable/Output** | **Target Timeline/Due Dates** | **Review/Approval** |
| 1 | Output-based work plans, indicate the timing and estimated input of time in hours for carrying out jointly agreed activities. | Quarterly/1 week before start of the period | Senior Project Manager |
| 2 | Progress Reports, summarising the progress made and results achieved over the period, and the Consultant’s recommendations for future actions. | Quarterly/1 week after the end of the period. | Senior Project Manager  |
| 3 | Invoices and signed timesheets, summarising actual days worked and expenses incurred with reference to the agreed work plans. | Monthly as agreed/ max 2 weeks after the end of the period | Senior Project Manager  |

Items 2 and 3 in the table above can be combined into one report and submitted simultaneously, preferably 1 week prior to the end of the period in question.

**Table 5.2: Specific Deliverables**

|  |  |  |  |
| --- | --- | --- | --- |
| **#** | **Deliverable/Output** | **Target Timeline/Due Dates** | **Review/Approval** |
| 1 | The Terms of References (ToR) for Integrity Assesment of MoEs, the ToR for the Dashboards for MoEs, other ToR regarding the sharing of practices for accountability of MoE | To be completed during the term of the contract, no later than its end, December 2025Can be a PowerPoint presentation with supporting documentation for the main points. | Component Team Leader |
| 2 | Development of drafts of local normative legal acts regarding the implementation of elements of corporate governance | To be completed during the term of the contract | Component Team Leader |
| 3 | Quality assurance report with institutionalization status of Municipal Integrity Plans and Corruption Risks Assessment in partner cities | The fourth quarter of 2024Can be a PowerPoint presentation with supporting documentation for the main points. | Component Team Leader |
| 4 | Provide contribution to recommendations, manuals and methodologies regarding CRA, integrity assessment and corporate governance of MoE | To be completed during the term of the contract | Component Team Leader |
| 5 | Contribute to evaluation and presentation of Integrity Assessments of MOE | To be completed during the term of the contract | Component Team Leader |

## 6. Timing

The assignment will start **from August 2024 and run until the end of December 2025 (17 months).**

During this period, the Senior Good Governance Consultant will be expected to deliver a maximum of **322 workdays**, approximately 68 of which will be expected to be delivered on the site in the Integrity Cities.

## 7. Methodology

The Consultant will work under the overall supervision of EUACI’s Component 2 Team Leader in close cooperation with other assigned staff.

Based on consultations with the Component Team Leader and assigned staff and the needs identified in the documentation provided by partners, the Consultant will prepare his/her work plans and send them to the Senior Project Manager for approval at least a full work week ahead of time. Work plans should be submitted on quarterly basis, but preferably monthly.

In keeping with the above structure, the Consultant’s progress report and associated payment request shall be output-based, summarising the activities carried out by output and the actual number of workdays used as compared to the plan, and a presentation of the expenses incurred.

Payments shall be done monthly. Payments will be based on the actual workdays, the agreed daily fee rate, and the expenses occurred by the Consultant during the period. Payments will require verification of completion of deliverables and approval by the Component Team Leader of the Consultant’s progress report and expense outlay.

Travel costs and other reimbursable costs will only be accepted if they are in compliance with the guidelines in the contract.

## 8. Qualifications and Competence of Staff

The preferred Consultant will have the qualifications described in the following sections.

Functional competencies:

1. A strong sense of integrity is essential;
2. Excellent planning, organization, and communication skills;
3. Willingness to travel with short notice;
4. Flexible approach and willingness to perform tasks outside his/her professional field;
5. Ability to work independently and in teams;
6. Effective inter-personal and process facilitation skills;
7. Full computer literacy and experience in working with IT in a communication perspective.

General qualifications:

1. A university degree in Public Administration, Political or Sociological Science or related fields;
2. A minimum of 7 years of professional experience in working with issues such as integrity, anti-corruption, decentralization, and local government processes;
3. A minimum of 7 years of experience in cooperation with local self-government bodies;
4. Solid knowledge about the technical aspects of corruption prevention and the promotion of public integrity, including strategies for broadening public participation;
5. Experience in working with international/interdisciplinary teams and as a facilitator responsible for ensuring progress towards implementation goals.

Adequacy for the assignment:

1. 5 years of recent practical experience of work with development processes related to integrity, transparency and accountability, preferably in a local government context;
2. Experience of work with at least five municipalities;
3. Experience of work with strategies and practical tools for the promotion of integrity, transparency and accountability;
4. Experience in guiding partners effectively through planning and implementation processes;
5. Solid understanding of the local political situation in the EUACI partner municipalities.

Experiences in the region and language:

1. Fluency in Ukrainian is required;
2. Proven track record of working with Ukrainian municipalities;
3. Ability to speak and write in English language at a sufficiently high level.

## 9. Estimated budget and level of effort

The maximum budget available for this assignment is **DKK 470850 (apprx. 63,000 EUR)**.

During this period, the Senior Good Governance Consultant will be expected to deliver a maximum of **322** workdays.

This amount includes subsistence allowance for **68 days** of work in partner cities as well as costs related to local travel and other project-related costs such as for example audit and printing.

Consultants submitting proposals will need to submit an offer (Appendix 3B: Contract Price) broken down by fees and reimbursable costs. Proposals, where the Contract Price offered, exceed the above maximum budget will be rejected.

The assignment does not include an advance payment. Payments will be made on a monthly basis on the basis of the actual workdays, the agreed daily fee rate and the expenses occurred by the Consultant during the period. Payments will require verification of completion of deliverables and approval by the Component Team Leader of the Consultant’s progress report and expense outlay.

Travel costs and other reimbursable costs will only be accepted if they are in compliance with the guidelines in the contract.

In the event of unforeseeable travel not anticipated in the agreed work plans, payment of travel costs, including tickets, accommodation and other expenses, must be agreed upon in advance with the Team Component Member in charge.

## 10. Management

The Consultant is responsible for the delivery of the outputs required and for the effective management of the number of workdays for the assignment vis-à-vis the expected results. The Consultant will consult with the EUACI Component Team during the planning of the Consultant’s activities and the prioritization of the same. The Consultant will regularly inform the Component Team on progress made as well as any issues or obstacles to progress requiring the attention of the Component Team.

## 11. Background documents

The key background document is the Programme Document for EUACI, Phase III.