**Terms of Reference for**

**Legal Expert on Anti-corruption program implementation**

**to provide expertise to the State Agency for Restoration**

**and Infrastructure Development of Ukraine**

**Background and context**

The European Union Anti-Corruption Initiative (EUACI) 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, businesses and state institutions. A 3rd Phase of the Programme has been launched in 2024.

Supporting anti-corruption efforts in Ukraine is a high political priority for the European Union and Denmark. By combating corruption, the EU contributes to the consolidation of democracy and economic growth of Ukraine, as well as the successful approximation of Ukraine with the EU.

The transparency, integrity and accountability of recovery is one of the key topics of the EUACI. The Government of Ukraine, the Ministry of Communities, Territories, and Infrastructure Development of Ukraine (the Ministry) and the State Agency for Recovery and Infrastructure Development of Ukraine (the Agency) are the key counterpart of the EUACI in this area.

To support Ukrainian government’s efforts to effectively manage the process of the war-time reconstruction and post-war recovery and to ensure that transparency and integrity considerations are taken into account, the EUACI established the compact Integrity Support Group (ISG). The ISG consists of long-term high-level consultants and several short-term sectoral experts that are recruited on an ad-hoc basis. One of the ISG members was Legal expert on Anticorruption Programs implementation. The Agency is satisfied with the EUACI support so now it needed to involve the Legal Expert on Anti-corruption policies to proceed the policies implementing at the Regional offices for Restoration.

One of the priorities for the EUACI and the ISG is minimizing corruption and managerial risks at Regional Offices for Restoration (RORs).

The new activity for the EUACI in the 3rd Phase in cooperation with the Agency is planned launch of the Program of Integrity Transformation of the RORs (the Program) to:

1. Enhance the capacity of the selected ROR, improving its structure and internal procedures to reduce or eradicate corruption and management risks, while fostering transparency and integrity.
2. Ensure the effectiveness of ROR’s operations, processes and the outcomes it yields by streamlining decision-making processes, combating unnecessary bureaucracy, and integrating best practices from business operations.

**Objective**

The main objective of the assignment is to support developing and oversee the implementation of the Anti-corruption policies at the Agency and Regional Offices for Restoration (hereinafter – ROR) and coordinate the “Integrity Transformation Program” launching and implementation.

Legal Expert on Anti-corruption policies for the Agency will work as a part of the ISG.

**Scope of work:**

The scope of work of the assignment includes different tasks, including, but not necessarily limited to:

- Providing support in development and implementing anti-corruption policies aimed to risks mitigation measures at RORs’ and the Agency;

- Providing support for the implementation of the Anti-corruption program (with the Risk Register) at RORs;

- Monitoring and oversight of the Anti-corruption program implementation at RORs;

- Identifying and suggesting measures to eliminate corruption risks in the ROR’s and Agency’s activities;

- Provision of methodological and consulting assistance on anti-corruption legislation to the RORs and the Agency;

- Development and implementation of capacity building measures for the authorized persons of the Agency's RORs;

- Supporting in coordination of the EUACI initiative “Integrity transformation Program” for 1 ROR;

- Upon separate request, conducting employee surveys among RORs’ employees, analyses of legislation, audit results, public appeals, and publications in social networks and mass media. Based on the information obtained from the above-mentioned sources identifying corruption risks in RORs’ activities;

- Providing written reports on the results of the Anti-corruption program implementation monitoring.

**Expected deliverables:**

* implemented activities, as defined in the scope of work,
* analytical notes, presentations, memos, peer-review of the draft policies and draft regulations as agreed with the Agency and the EUACI,
* interventions during public and working-level meetings and roundtables to present findings and analysis of the anti-corruption program implementation,
* participation in the thematical events with the Agency and the EUACI,
* written reports on the results of the expert’s work and developed documents or activities held,
* coordination and holding regularly meetings with the anti-corruption officers in the RORs,
* support the Agency in the capacity building for the RORs specialists;
* other deliverables as agreed upon with the Agency and the EUACI.

**Timeline**

The intended commencement date is the date of signature of the contract with the consultant and the period of implementation of the contract will be 9 months, expected with the start in June 2024 with a duration of up to 198 working days including up to 8 travel days.

Upon the Agency`s request and positive assessment of the performance, the initiative could be extended.

**Requirements to the Service Provider**

The contract will be awarded to the expert meeting the following criteria:

## General qualifications:

1. a minimum of a Master’s degree in law, economics, social sciences, public administration, or similar field is required,
2. experience in legal drafting, conducting corruption and/or managerial risks assessments,
3. experience in drafting Anti-corruption programs for state and private sectors will be an asset,
4. experience in monitoring / implementing of the Anti-corruption program implementation for the state and private sectors will be an asset,
5. excellent written and oral communication skills,
6. fluency in Ukrainian is required;
7. ability to speak and write in English language would be an asset.

## Adequacy for the assignment:

1. a minimum of 3 years of professional experience working with public integrity, anti-corruption, public procurement, and local government processes;
2. at least 2 years of professional experience of cooperation with (working within) the public sector under capacity building projects covering good governance, urban planning, construction, anti-corruption or risk management;
3. proven experience in cooperation with stakeholders in national government, local self-government, development partners, and civil society;
4. professional experience in international quality management is regarded as an asset;
5. professional experience in the application of established international anti-corruption standards is regarded as an asset;
6. experience in guiding partners effectively through planning and implementation processes.

 The expert is expected to work from premises of the Agency or EUACI with possible duty travels in Ukraine.

**Monitoring and evaluation:**

Definition of indicators

The performance of the contractor will be judged upon reaching the purpose of this contract as well as obtaining its results, as indicated in the sections "Objective" and "Expected Deliverables" herein respectively.

Special requirements

By signing the contract, the contractor (and its representatives) agree to hold in trust and confidence any information or documents ("confidential information"), disclosed to the contractor or discovered by the contractor or prepared by the contractor in the course of or as a result of the implementation of the contract, and agrees that it shall be used only for the purposes of the contract implementation and shall not be disclosed to any third party without EUACI authorization.

The contractor reports to the Agency, the EUACI and head of the ISG. The contractor shall de-brief the EUACI prior to finalizing the assignment. Regularly planning and reporting sessions with the representative of the Agency and EUACI are expected.

# Bidding details

The bidder must submit the following information to be considered:

1. The CV (no more than three pages long) that should include description of the previous relevant assignments, key duties on this assignment.
2. A portfolio that includes list of assignments similar to this project executed in the last five years.
3. A budget for the services in EUR, inclusive of all taxes or other such charges with calculation of 198 working days

The maximum budget available for this assignment is up to **30 000 EUR** (that includes **198 working days** and **8 days of business trips** expenses).

# How to apply

The deadline for submitting the proposals is 10 June 2024, 18:00 Kyiv time.

The proposals shall be submitted within the above deadline to dmyiak@um.dk, indicating the subject line “Legal Expert for Agency”.

Bidding language: **English**

Any clarification questions for the bid request should be addressed to dmyiak@um.dk, no later than 3 June 2024, 18:00 Kyiv time.

# Evaluation criteria

Bids will be evaluated under the criteria provided below:

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| **#** | **Criteria** | **Weight** |
| 1 | Portfolio of completed assignments  | 20% |
| 2 | Relevant experience, skills and competencies | 60% |
| 3 | Proposed budget | 20% |