**Terms of Reference for**

**Legal Expert on the Anti-Corruption Program Implementation**

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

**and Infrastructure Development of Ukraine**

**Background and context**

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 large-scale Russian invasion of Ukraine changed the context in which the EUACI is working. To address new challenges, the EUACI revised its work plan and decided to focus on several new topics, including the topic of transparent and accountable management of upcoming reconstruction (and current humanitarian) aid.

The topic of reconstruction aid and integrity will become one of the key activities of the program for many months to come, both at the national and local levels and across the three components of the EUACI. The Government of Ukraine will be the key counterpart of the EUACI in this area.

Acknowledging the importance of the coordinated and well-managed process of the post-war recovery, the Government of Ukraine in December 2022 decided to merge two Ministries mandated to work on different aspects of this process (The Ministry of Infrastructure and The Ministry of Territorial and Regional Development) into the consolidated Ministry of Communities, Territories, and Infrastructure Development of Ukraine. It is now chaired by the Deputy Prime Minister for Restoration of Ukraine Oleksandr Kubrakov.

In addition to that, the new State Agency for Restoration and Infrastructure Development of Ukraine (created by means of merge of the State Agency for Infrastructure Projects and the State Agency for Automobile Roads of Ukraine) was created (hereinafter – the Agency). Its task is to directly manage and oversee implementation of selected recovery projects, while the Ministry is tasked to develop relevant policy and oversee its implementation.

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 has engaged with the Ministry to establish the compact Integrity Support Group (ISG) consisting of several experts fully embedded into the Ministry work.

As a part of ISG the Legal Expert on the Anti-Corruption Program Implementation for the Agency will lead the implementation of the Program, perform monitoring and control the needed implementing measures for the territorial bodies of the Agency called Regional Offices for Restoration.

**Objective:**

The main objective of the assignment is to support and oversee the implementation of the Anti-corruption program at the Agency's Regional Offices for Restoration (hereinafter – ROR). Legal Expert is expected to organize and manage the work on monitoring and oversight of the Anti-corruption program implementation within the RORs and provide reports on the results of monitoring of the Anti-corruption program implementation.

**Scope of work:**

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

- Supporting the Anti-corruption program implementation in the Agency's RORs;

- Monitoring and oversight of the Anti-corruption program implementation of the Agency's RORs;

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

- Identifying and suggesting measures to eliminate corruption risks;

- Providing support in corruption risk management within the Agency's RORs;

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

- Development and implementation of the Anti-corruption education plan for the authorized persons of the Agency's RORs;

- 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 the Agency's RORs’ activities.

**Expected deliverables:**

* implemented activities, as defined in the workplan,
* analytical notes, presentations, memos, peer-review of the draft laws 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,
* other deliverables as agreed upon with the Agency and 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, with a duration of 190 working days including up to 45 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 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 and EUACI, head of the ISG. The contractor shall de-brief the EUACI prior to finalizing the assignment.

It is assumed that the consultant will have a 2-month probation period.

# 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 190 working days.

The contract budget cannot exceed 30,000 euros.

# How to apply

The deadline for submitting the proposals is 10 June 2023, 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 or Ukrainian

Any clarification questions for the bid request should be addressed to dmyiak@um.dk, no later than 4 June 2023, 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% |