**Terms of Reference for**

**Legal Expert on Anti-corruption policies**

**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 Ukraine’s recovery is one of the key topics of the EUACI. The Government of Ukraine, the Ministry of Communities and Territories Development of Ukraine (the Ministry) and the State Agency for Restoration and Infrastructure Development of Ukraine (the Agency) are the key counterpart of the EUACI in this area.

As the recovery process involves massive national and international resources, it is key to have a coordinated policy framework to ensure that these funds are managed responsibly and support Ukraine's long-term commitment to good governance and sustainable development.

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) it consists of long-term high-level consultants and several short-term sectoral experts. The Agency has created similar Capacity Building Office supported by international organisations and partners to support the Agency in projects implementation and strategic planning and capacity development.

One of the priorities for the EUACI and the Agency is minimizing corruption and managerial risks at RORs. Currently, efforts are ongoing to support the implementation of the Anti-Corruption Program (including the Risk Register) and to develop and enforce anti-corruption policies for the RORs. Establishing a strong anti-corruption internal policy in Ukrainian recovery agencies is key to supporting transparency, accountability and public trust throughout the recovery and reconstruction process.

**Objective**

The main objective of the assignment is to support drafting and provide the implementation of the Anti-corruption policies at the Agency and Regional Offices for Restoration and support the Agency in drafting other documents and anti-corruption policies.

**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;

- Providing support for the revision of the Anti-Corruption Program (with the Risk Register) in the ROR and the Agency;

- 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;

- Coordination some activities of the anti-corruption officers at RORs;

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

- Supporting in coordination of the project of transformation of the RORs;

- 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;

- Oher tasks that related to the scope of work.

**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 (tentative: December 2024) with the consultant and the period of implementation of the contract will be 10 months, with a duration of up to 220 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 with possible rare 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 deputy head, and the EUACI. 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 220 working days

The maximum budget available for this assignment is up to **31 500 EUR** (that includes **220 working days with daily rate up to 136 EUR** and **8 days of business trips** expenses.).

# How to apply

The deadline for submitting the proposals is 26 November 2024, 18:00 Kyiv time.

The proposals shall be submitted within the above deadline to euaci@um.dk and olga\_kolodochka@ukr.net, indicating the subject line “Legal Expert for Agency”.

To ensure your documents were successfully received, please check that you receive an auto-reply from our system.

Bidding language: English

Any clarification questions for the bid request should be addressed to euaci@um.dk and olga\_kolodochka@ukr.net, no later than 18 November 2024, 18:00 Kyiv time.

# Evaluation criteria

Bids will be evaluated under the criteria provided below:

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| **#** | **Criteria** | **Weight** |
| 1 | Relevant experience, skills and competencies, CV | 80% |
| 2 | Proposed budget | 20% |