

**TERMS OF REFERENCE**

**Conducting a** **study on the implementation
of the eCase management system**

# Background

The EU Anti-Corruption Initiative in Ukraine (EUACI) Phase III is the biggest European Union support program in the area of anti-corruption in Ukraine, co-funded and implemented by the Ministry of Foreign Affairs in Denmark on behalf of the EU. It is a three-year program
(2024-2027) following up on Phases I-II of the EUACI, also implemented and co-funded by Denmark in 2017-2024. The overall objective of the EUACI III is the reduction of corruption in Ukraine at the national and local levels through the empowerment of citizens, civil society, business, and state institutions.

During EUACI Phases I-II, the EUACI procured the development and continued supporting the implementation of the eCase Management System (eCase) aimed at digitalization of the
pre-trial investigation of the National Anti-Corruption Bureau (NABU), the Specialized
Anti-Corruption Prosecutor's Office (SAPO) and the High Anti-Corruption Court (HACC). The NABU is the owner of the eCase management system.

The system is fully operational and important progress is taking place with still more documents being uploaded and more processes included. However, not all its features are fully used by the beneficiaries and not all staff with access to the system are using it as foreseen. The system is currently unable to provide access for defence lawyers, this service is at the stage of formulating requirements for further development. So far, the Appeal Chamber of the HACC is not using the system. As with all new IT-systems, some staff find it difficult to adapt to a new mode of working. There might also be specific technical obstacles, limitations and inconveniences in using the system, which prevent its full implementation.

Therefore, the EUACI is interested in conducting a study to analyse the current state of the implementation of the eCase system, assess the factors that slow down this process, and propose ways to overcome them, be it related to technical issues, business processes or human resources.

It is assumed that the task will be performed by an IT expert (group of experts or company) who have relevant experience in implementing such systems and conducting such studies.

# Objective

The main objective of the study is to identify ways to ensure the full usage of the eCase management system across NABU, SAPO and HACC.

Sub-objectives: to assess the functionality, usability, information security level, and integration of the eCase management system within NABU, SAPO, and HACC; to assess the extent to which staff are using the system; to look into the utilization by staff and identifying obstacles to its full adoption; enabling interoperability with broader digital infrastructure in the judicial and law enforcement systems; to assess any legal obstacles for unlocking the full potential of the system.

This includes assessing current usage, identifying technical and organizational challenges, the level of information security and risks, providing recommendations for improvement, facilitating access for criminal defence lawyers, and supporting integration with related digital systems like SMEREKA and the Electronic Court.

# Scope of work

The Consultant will be requested to provide the EUACI and eCase beneficiaries with an assessment in the following areas:

1. **Usage Assessment**: Evaluate the extent of eCase usage by NABU, SAPO, and HACC staff and identify areas for improved adoption.
2. **Identify Obstacles**: Assess technical, organizational, and cultural barriers to the full implementation of eCase.
3. **Identify the level of information security and information security risks**: according to international requirements and best practices in cyber security.
4. **Develop Recommendations**: Provide NABU, SAPO, HACC, and EUACI with actionable recommendations for overcoming identified obstacles to enhance system usage, including information security recommendations.
5. **Enable Defence Lawyer Access**: Formulate an implementation plan to provide secure and efficient access to eCase for defence lawyers.
6. **Ensure System Integration**: Assess and recommend strategies for aligning eCase with other digital systems (SMEREKA and the Electronic Court) to ensure smooth interoperability within the broader judicial infrastructure.
7. **Provide Ongoing Support**: Recommendations on the coordination of eCase-related activities, offer mentoring to IT staff and end-users, and the format and intensity of stakeholder meetings.

# Deliverables

Once the assessment is conducted, a study report should be developed as a formally documented output of the assessment and presented to the EUACI and eCase beneficiaries.

The outcomes of the study report would include, but not be limited to the following:

1. **Usage data analysis and survey results**
* Survey Responses: Data gathered from surveys conducted with NABU, SAPO, and HACC staff, including detectives, prosecutors, judges, management, and IT staff. This should reflect the frequency, ease of use, and depth of eCase adoption within each institution.
* Usage Metrics: Quantitative and qualitative data on eCase usage, possibly from system logs or usage reports, to support findings from the survey.
* Conduct interviews: Based on the result of the survey, conduct a limited number of interviews (not less than 20) with staff from all three institutions to provide a more in-depth assessment of challenges and obstacles.
1. **Obstacle assessment findings and expert analysis**
* Feedback on Challenges: Comments and complaints collected from beneficiaries (staff at NABU, SAPO, and HACC) detailing technical, procedural, and cultural barriers to using eCase.
* Expert Analysis: Evaluations from IT experts who can assess the system’s technical and business process challenges in eCase implementation.
* Example of Cases: Specific cases illustrating obstacles, such as delays in access, technical issues, or workflow disruptions.
1. **Recommendations for system improvements**
* Targeted Recommendations: Based on the identified obstacles, recommendations for NABU, SAPO, HACC, and EUACI on resolving key issues affecting eCase functionality. This may include changes to infrastructure, user training, internal communication or business process updates.
* Technical and Organizational Solutions: Specific suggestions for enhancing technical systems and organizational workflows to facilitate better system use and adoption.
* Information security and risks: proposals for improving the level of information security.
* Implementation Timeline and Resource Estimates: Practical guidance on the timeline, resources, or costs needed to implement recommended solutions.
1. **Proposal for defence lawyer access**
* Access Framework: A plan outlining the technical, procedural, and security considerations for granting defence lawyers access to eCase.
* Stakeholder Input: Insights from consultations with lawyer organizations and beneficiaries’ staff to ensure the proposed access is feasible and aligned with stakeholder needs.
* Possible Security and Privacy Measures: Recommendations for data security and privacy protocols to ensure safe access to eCase by external parties.
1. **System integration assessment**
* Compatibility Analysis: An evaluation of eCase compatibility and integration requirements with other state digital systems, specifically SMEREKA and the Electronic Court system.
* Interoperability Recommendations: Suggestions for any technical adjustments, upgrades, or standards required to ensure seamless interaction between eCase and other systems.
1. **Documentation of coordination and support activities**
* Summary of coordination activities, and decisions made in collaboration with EUACI staff and other stakeholders.
* Mentorship and IT Support: Recommendations on mentoring activities and technical support provided to NABU, SAPO, and HACC IT teams.
* Feedback from Stakeholders: Input gathered during the support process, reflecting IT staff needs, user experiences, and any additional requests for system improvements.
1. **Presentation of results**
* The service provider will provide a presentation (PowerPoint) of the results of the study at a workshop or seminar for relevant stakeholders and beneficiaries.

These outputs will collectively form a comprehensive report and provide the actionable insights for EUACI, NABU, SAPO, and HACC to enhance the implementation of the eCase management system.

All documentation shall be prepared in paper and electronic forms. Language of the Outputs is Ukrainian with English translation of the summary of the final report and of the presentation.

# Qualifications

Key qualifications of the Consultant include:

General qualifications:

* Bachelor’s or Master’s degree in Computer Science, Information Technology, or a related field.
* Relevant certifications in IT security, systems integration, or project management are an advantage.
* Experience in leading IT projects, including requirements gathering, system evaluation, and delivering comprehensive reports.

Adequacy for the assignment:

* Minimum of 5 years of experience in IT system assessment, implementation, and integration, preferably within the judicial or law enforcement sectors. Experience with eCase or similar systems would be advantageous.
* Knowledge of eCase or similar case management systems, including their functionalities, user interfaces, and backend architecture.
* Expertise in integrating different IT systems, particularly with judicial and law enforcement digital infrastructures such as SMEREKA and Electronic Court systems would be advantageous.
* Understanding of data security principles, privacy regulations, and best practices for access control, especially in the context of granting external access (e.g., defence lawyers).
* Ability to evaluate technical barriers, perform compatibility analyses, and recommend technical solutions for system enhancements.
* Experience in using IT assessment and project management tools, data analysis software, and survey platforms.
* Experience in conducting information security audits and developing recommendations.

Experience with the region and languages:

* Relevant working experience from the region.
* Physical presence in Kyiv.
* Fluency in Ukrainian and good English skills.

# Budget, timeframe, and location

The activity is expected to be conducted within four months with a maximum of 80 working days.

The duration of the contract is to begin following the signature of both parties. The project activities are performed in Kyiv.

All the payments under the Contract shall be made in UAH according to the official NBU exchange rate published on the business day of the invoice issuance by the Consultant.

The Consultant may request 30% of the payment on signing the contract and the remaining 70% will be paid when the entire assignment will be completed.

The final payment will require verification of completion of deliverables and approval by the Customer of the Consultant’s deliverables.

# Reporting and management

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 section “Objective” and “Deliverables” herein respectively. Moreover, the performance of the Contractor will be judged upon the successful implementation of all the specific activities indicated in Section “Scope of work” of this document

The EUACI will appoint a contact person responsible for the management of this assignment from the side of the EUACI, including for any correspondence with regard to the implementation of the assignment and for issues related to the agreement between the Consultant and the EUACI. The Consultant will report to and ensure that the appointed contact person is copied in on all relevant communication related to the assignment, including correspondence with all stakeholders.

In the period until acceptance, the EUACI and Consultant will hold regular project group meetings to exchange information and seek to clarify any questions of whatsoever nature. The purpose of the project group meetings is to ensure follow-up on any activities between the meetings, and to maintain a common overview of the current stage of the project at a detailed level, and to ensure the day-to-day progress.

# Confidentiality

By signing the contract, the Consultant agrees to hold in trust and confidence any information or documents ("confidential information") disclosed to the Consultant or discovered by the Consultant or prepared by the Consultant in the course of or as a result of the implementation of the contract, and agrees that it shall be used only for the contract implementation and shall not be disclosed to any third party. The Consultant also agrees not to retain copies of any written information in its archive and for its use.

# How to apply

**The deadline** for submitting the proposals is 6 January 2025,17:00 Kyiv time.

All interested experts or companies should submit:

* Filled and signed Appendix 1 (portfolio of previous reports or projects demonstrating the ability to produce comprehensive assessments and recommendations, CV of key staff, short description of approach and methodology of the proposed consultancy)
* Signed Financial offer (budget for the consultancy service in EUR, inclusive of all taxes or other such charges without VAT).

The Tenderer’s financial proposal shall include all costs for a fee and project-related reimbursable expenses.

The proposal shall include the aforementioned information and should be submitted within the above deadline to serkon@um.dk, CC euaci@um.dk indicating the subject line: **eCase Implementation Study**.

To ensure your documents were successfully received, please check that you have received an auto-reply from euaci@um.dk mailbox.

**Bidding language:** English.

**Questions & Answers:**

Any clarification questions regarding the bid request may be submitted in English via e-mail to the contact person mentioned above.

Tenderers shall refrain from contacting the EUACI in any other way.

Tenderers are encouraged to submit all questions as soon as possible. The EUACI reserves the right to not answer questions submitted later than 5 days before the time limit for receipt of tenders.

The EUACI will send the questions and answers simultaneously and in anonymous form via
e-mail to the tenderers.

# Evaluation

Bids will be evaluated in accordance with the criteria provided below:

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| --- | --- | --- |
| **#** | **Criteria** | **Weight** |
| 1 | Portfolio of previous reports or projects | 20% |
| 2 | Relevant experience, skills and competencies | 40% |
| 3 | Description of approach and methodology of the proposed consultancy | 20% |
| 4 | Financial Offer | 20% |

# Appendix 1: Forms for Letter of Tender

The tenderer must fill in fields marked with yellow and sign this Appendix 1 before submission.

The request to participate is submitted by the following:

|  |  |
| --- | --- |
| **Name** | *[insert name of company]* |
| **Street and number** | *[insert postal address]* |
| **Postcode** | *[insert postal code]* |
| **City** | *[insert city]* |
| **Country** | *[insert country]* |
| **VAT number (or national identification number)** | *[insert number]* |
| **Internet address** | *[insert URL of the company’s website]* |
| **Contact person** | *[insert name of contact person]* |
| **E-mail** | *[insert e-mail of contact person]* |

**List of previous reports or projects:**

The applicant has performed (entered into, ongoing or finalized within the last 5 years) the following contracts of relevance to the advertised assignment (at least 2 contracts).

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **No.** | **Description** | **Amount** | **Contract period** | **Recipient** |
| 1. | *[insert nature and quantity of services provided by the applicant (and, if joint venture, by which member). If the performed services are provided in a joint venture or within a framework agreement with more economic operators, insert the quantity (percent) performed by the applicant]* | *[insert contract value]* | *[insert start date and end date]* | *[insert name of organisation]* |
| 2. | *[insert nature and quantity of services provided by the applicant (and, if joint venture, by which member)]* | *[insert contract value]* | *[insert start date and end date]* | *[insert name of organisation]* |
| 3. | *[insert nature and quantity of services provided by the applicant (and, if joint venture, by which member)]* | *[insert contract value]* | *[insert start date and end date]* | *[insert name of organisation]* |

**The Consultant’s Technical Proposal**

This section comprises templates to be completed by the tenderer and included in the tender.

The tenderer’s submissions will be included in the Contract and apply to the project.

**Approach and methodology regarding the study on the implementation of the eCase management system:**

The completed sections regarding methodology of the study **should not exceed 3 pages**

*[The tenderer shall as part of the tender and in accordance with the requirements describe his approach and methodology in order to develop and implement the requirements to the assignment.*

*The Consultant’s Approach and Methodology will be part of the evaluation in regard to the “Criteria and Method of Evaluation”. Thus, the Customer will evaluate the following:*

*(i) Whether the proposed approach and methodology reflects the objectives of the project*

*(ii) Whether activities of the project are coherent and well-defined*

*(iii) Whether the tenderer has identified risk and highlighted potential issues]*

*(iv) The extent to which the tender fulfils the requirements]*

**Curriculum Vitae for Key staff**

General Qualifications, Adequacy for the assignment and Experience in the Region and Language

The tenderer is to complete and submit a CV for each of its key staff based on the format below.

Each completed CV **should not exceed 3 pages.**

|  |
| --- |
| **Assignment:**  |
| **Proposed position on the proposed team:** |
| **1. PERSONAL DATA** |
| Family name: | First Name(s): |
| **2. EMPLOYMENT RECORD (GENERAL EXPERIENCE)** (Most recent employment first) |
| Employer's company name: | Period of service and length: | Position / nature of the tasks performed / level of responsibility:  |
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| **3. EDUCATION AND TRAINING**(Most recent completed education and or training first) |
| Institution (University, etc.), city and country: | Length of educationDate: from (month/year) to (month/year) | Degree/Diploma obtained: |
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| **4. EXPERIENCE IN THE SPECIFIC FIELD DIRECTLY RELEVANT TO THE ASSIGNMENT AND THE PROPOSED POSITION**(Indicate the following information for those assignments that best illustrate the experience in the specific field relevant to the assignment and the proposed position, including the obtained results) (Add number of assignments as applicable) |
| Name of assignment |   |
| Period of service and length: from (month/year) to (month/year) |  |
| Location  |  |
| Client  |  |
| Main project features |  |
| Position held |  |
| Activities performed |  |
| Obtained results |  |
| **5. LANGUAGE SKILLS OF RELEVANCE TO THE ASSIGNMENT** (State knowledge of the language in the country of assignment and of the contract) |
| Language: | Formal Education: | Understanding level: | Speaking level: | Writing level: |
|  |  |  |  |  |
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| **6. OTHER INFORMATION OF RELEVANS TO THE ASSIGNMENT** |
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