# Terms of Reference:

# Analyst to support the implementation of Corporate Governance Reform in Municipally Owned Enterprises to minimize key corruption risks

**The European Union Anti-Corruption Initiative (EUACI)**

The EUACI is a joint EU and Government of Denmark financed programme aimed at supporting Ukraine in its efforts to reduce corruption at the national and local level through the empowerment of citizens, civil society and state institutions. In January 2024, a new phase of the EUACI was launched. The strategic objectives are that: Corruption in Ukraine is reduced; Ukraine advances with anti-corruption reform; and Reconstruction in war-affected areas of Ukraine is implemented within a framework that incorporates transparency, accountability and integrity.

The EUACI has four intervention areas, namely:

* Support to independent state institutions fighting and preventing corruption;
* Transparency and accountability of the reconstruction process;
* Support cities in war-affected areas in enhancing integrity in the reconstruction process;
* Civil society and media in preventing and fighting corruption.

This assignment concerns the EUACI’s support for Intervention Area 3.

**Background**

Ukraine’s decentralization reforms have granted local councils exclusive authority over the management of communal assets. However, inefficiencies in managing municipally owned enterprises (MoEs), along with persistent issues such as corruption, lack of transparency, and integrity, remain prevalent. Additionally, the absence of strong corporate governance structures and accountability mechanisms at the municipal level exacerbates these challenges, creating opportunities for corruption risks.

Currently, most MoEs lack compliance frameworks, effective internal audit and control systems, corruption risk management procedures, standardized reporting, transparent asset management processes (including leasing and sales), and competitive mechanisms for selecting management. Moreover, the tradition of having supervisory boards within MoEs is virtually nonexistent.

The proposed reform by the Committee on Economic Development of the Verkhovna Rada of Ukraine (hereinafter referred to as "the Committee") aims to address these challenges through the introduction of new legal standards and practices. The reform seeks to align Ukraine's legislation with international best practices, in accordance with OECD standards, while ensuring greater accountability and transparency in the management of MoEs.

The EUACI is currently providing legal support to the Committee in its efforts to enhance the management of MoEs. This initiative leverages insights from corporate governance reforms in Ukraine's state-owned enterprises as well as international best practices. The EUACI has been actively addressing integrity-related issues within MoEs and will draw upon its expertise, including its work on implementing corporate governance standards in the Integrity City of Mykolayiv.

This activity involves the engagement of an analyst to support the implementation of corporate governance reform in MoEs, aimed at minimizing key corruption risks.

1. **Objective and Expected Results**

The objective of this assignment is to provide analytical support for drafting legal frameworks to strengthen corporate governance in Ukrainian MoEs. This will include a comprehensive analysis of the MoE sector, identification of key indicators, and the collection of relevant data to drive the reform process. The reforms will focus on enhancing transparency, accountability, and corporate governance standards in accordance with OECD guidelines, aiming to reduce political interference, mitigate corruption, and improve the overall accountability of MoEs.

The expected outcomes are:

* Provision of analytical support for the implementation of the ongoing corporate governance reform in MoEs.
* Development of specific legislation in collaboration with central executive authorities, local communities, and MoEs to gather analytical and statistical data for informed decision-making.
* Preparation of recommendations for implementing measures and operations to enhance asset management efficiency.
1. **Scope of work**

The Analyst will be responsible for the following tasks:

* Conducting an analysis of the data required for a comprehensive study to support the corporate governance reform in MoEs
* Identification, search, evaluation, analysis and preparation of reports, presentations and briefing notes in the field of MoEs management
* Development of recommendations to minimize risks and gaps in MoEs management
* Providing analytical support for the development of a legal framework for corporate governance in the MoEs
1. **Deliverables**

The Deliverables are presented below in Table 1 with a tentative schedule.

All results are expected to be provided in Ukrainian unless otherwise agreed. Electronic copies are sent by email to the particular EUACI contact person.

**Table 1:** Summary of deliverables/outputs and the tentative timeline for delivery.

|  |  |  |  |
| --- | --- | --- | --- |
| **#** | **Deliverable/Output** | **Timeline** | **Note** |
| 1 | Consultant's **updated work plan** showing tentative timing for the start and completion of the activities listed in the scope of work section.  | 1 week after contract signing | To be submitted to the EUACI contact person by e-mail in Ukrainian version ahead of presentation during Kick-Off meeting. |
| 2 | Analyze and process statistical and analytical information to support data-driven decision-making in the development of specific legislation and presentations. | Throughout the entire duration of the contract | The document should contain compiled and processed information, must be included in the final report.To be approved by the EUACI. |
| 3 | Analytical modeling of the reform and its impact on the Ukrainian MoEs, including a detailed study of the sector for those affected by the proposed legislation. | 8 weeks after contract signing | Document should include analytical and statistical key advantages of new legal framework.To be approved by the EUACI. |
| 4 | An analytical articles in a myth-busting format addressing key positions and controversial issues related to the proposed legislative initiative. | 14 weeks after contract signing | To be approved by the EUACI. |
| 5 | Final report  | 16 weeks after contract signing | A short summary of the outputs delivered under the contract. To be submitted to the EUACI contact person by e-mail in Ukrainian and English versions. |

The timelines indicated in the table above are indicative. The Consultant will reflect on and update the timelines for different activities while preparing and updating the Consultant’s work plan. During the Kick-Off meeting with the EUACI Component Team, the Consultant’s work plan will be discussed, including the proposed timeline for the different activities and the submission of deliverables.

**4) Timing**

The assignment is expected to last for a total of **16 weeks** and **65 working days**, with a tentative start in March 2025 and completion by the end of July 2025.

**5) Methodology**

The Consultant will work under the supervision of Project Expert for Integrity Cities.

Based on consultations with the EUACI staff and the needs identified in the documentation provided by partners, the Consultant will prepare work plans and send them to the EUACI for approval.

**6) Payment**

Payment will be made in a maximum of two instalments.

The first instalment, representing a maximum of 30% of the total contract value, will be made after receipt of the Service Provider's Deliverable 1, and invoice.

The second and final payment will be made upon receipt and approval of the Final Report and a Final Invoice.

**7) Requirements for the Service Provider:**

The Consultant must be a registered legal entity, private entrepreneur under Ukrainian law. The assignment described above is expected to be completed by a qualified Consultant.

Specific requirements for the Analyst role are as follows:

**Requirements for Analyst:**

* Master's degree in Law, Public Administration, Political Science, or a related field.
* No less than 5 years of relevant professional experience as an analyst or policy expert.
* Proven experience in drafting analytical reports, conducting research, and performing related tasks.
* Strong research and analytical skills.
* Fluency in both written and spoken Ukrainian and English.

**Special requirements**

By signing the contract, the Consultant agrees to maintain the confidentiality of any information or documents ("confidential information") disclosed to, discovered by, or prepared by the Consultant during the course of the contract. The Consultant further agrees that such information will be used solely for the purpose of contract implementation and will not be disclosed to any third party.

**8) Estimated budget**

The maximum budget available for this assignment is **up to EUR 10 000**.

Bids will be evaluated under the criteria provided below:

|  |  |  |
| --- | --- | --- |
| **#** | **Criteria** | **Weight** |
| 1 | CV of the tender participant | 40% |
| 2 | Portfolio of relevant projects | 40% |
| 3 | Proposed budget | 20% |

 **HOW TO APPLY**

The proposals with:

* CV of tender participant;
* Portfolio of relevant projects;
* Financial Offer (Proposed budget).

shall be submitted in electronic format only within the below deadline to the email: euaci@um.dk, cc ulytyb@um.dk indicating the subject line **"Analyst to support the implementation of Corporate Governance Reform in MoEs\_Name".**

Any clarification questions for the bid request should be addressed to euaci@um.dk, cc ulytyb@um.dk no later than **07 March 2025, 17:00** Kyiv time.

The deadline for submitting the proposals is **16 March 2025, 17:00** Kyiv time.

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

**Bidding language: English.**