# **Terms of Reference**

**regarding Executive Search for the Head of the Central Procurement Office under the Agency for Restoration and Development of Infrastructure of Ukraine**

1. **Background**

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

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 topic of reconstruction aid and integrity is one of the key activities of the program, both at the national and local levels and across the components of the EUACI. The Government of Ukraine is the key counterpart of the EUACI in this area.

The transparency, integrity and accountability of Ukraine’s recovery is one of the key topics of the EUACI. The Government of Ukraine, the Ministry for Development of Communities and Territories 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.

In the context of martial law, public procurement in Ukraine requires increased responsibility from all participants, as the efficient use of budget funds depends on their proper implementation. The mechanism for conducting public procurement procedures should become one of the key elements of public finance management and improve the efficiency of state economic policy. It should be based, in particular, on the principles of fair competition, transparency and integrity, non-discrimination of participants, objectivity and impartiality of tender proposals, and prevention of corruption in this area. Given the large amounts of funds involved and the complexity of regulating agreement relations, public procurement has been identified as one of the most vulnerable areas of regulation.

Currently, the Regional Offices for Restoration (hereinafter – ROR) are the Customers of construction works and independently determine the main principles of organizing and conducting tender procedures. Procuring entities have different approaches to procurement processes, which can lead to certain risks, including management, reputational, corruption, and sanctions risks.

To improve integrity and efficiency of public procurements by the RORs), the Agency considers introducing a Central Procurement Office (the CPO).

The effectiveness of the CPO directly depends on the management and expertise of its Head. The Head must be selected through a competitive process. It is crucial to conduct the broadest and most rigorous selection to ensure that the Head is professional with the highest standards of integrity.

The Head will be appointed by the order of the Head of the Agency. The CPO Head’s selection process will be facilitated by a Working Group at the Agency.

In both the public and private sectors, it is standard practice to engage professional recruitment consultants to assist with the selection of candidates for key management positions in line with established criteria. These consultants bring a wide network and significant experience in recruiting senior officials, which can greatly enhance the search for qualified candidates.

A professional recruiter must ensure a transparent and competitive selection process, and their expertise will be instrumental in identifying a candidate who meets the rigorous standards required for this vital governance role.

Recruiting the Head of the CPO is essential for the effective operation and credibility of the Agency for Restoration of Ukraine. Recruitment process is crucial in identifying the best candidate for this significant role, ensuring that the Agency is equipped with the leadership necessary to navigate the complexities of procurement in a challenging environment.

In this context, the EUACI is seeking a Service Provider (Consultant, Consulting Firm, or NGO) to collaborate closely with the EUACI and the Agency in conducting an executive search for the recruitment of the CPO Head.

These Terms of Reference (ToR) provide more details about the assignment.

1. **Objective and results**

The objective of the assignment is to facilitate a comprehensive, competitive, transparent, and high-quality selection of the CPO Head.

**Scope of work**

The Service Provider will be responsible for the following tasks:

* **Initial Consultation & Planning**:
* Develop a clear vision for requirements and profile of the potential head of CPO and draft a list of documents to be submitted by applicants in line with evaluation criteria.
* Develop the Recruitment Plan for identifying a candidate for the CPO Head. The plan should include a draft of the relevant announcement and recommendations for selecting media/platforms to place announcement in both English and Ukrainian.
* Develop the Evaluation Methodology for assessing candidates in line with the evaluation criteria.
* Conduct at least 3 interviews with key stakeholders as agreed with the EUACI to identify their expectations and requirements to the CPO head.
* **Market Research & Candidate Identification**:
* Conduct a comprehensive market research to identify suitable candidates, ensuring a broad pool of qualified individuals.
* Publish the competition announcement across the selected media platforms to reach potential candidates.
* Coordinate competition announcement and recruitment processes with the Agency’s official procedure.
* Manage the submission process, receiving and organizing applications submitted by candidates, including candidates responding to official announcement on Agency web-site.
* **Candidate Assessment & Shortlisting**:
* Analyze the submitted documents of all candidates, assess each candidate’s suitability for the position of CPO head. This includes verifying the accuracy of information, compliance, and references using validated open databases and other reliable sources.
* Provide a detailed candidate assessment report, outlining the qualifications, experience, and suitability of each candidate.
* Provide an in-depth background check (including thorough integrity checks) of each shortlisted candidate based on available material through open sources and present the result in writing.
* Present a shortlist of at least 3-5 candidates for review by the Working Group, along with a list of potential replacement candidates, in case of candidate withdrawal, non-appointment, or early termination of a member's tenure.
* **Interview Coordination**:
* Coordinate and facilitate interviews of the shortlisted candidates and the Working Group.
* Maintain effective communication with all applicants, including both shortlisted and non-shortlisted candidates. Clearly communicate deadlines for each stage of the process, ensuring participants are aware.
* Provide feedback and support to the Working Group throughout the interview process.
* **Final Selection Support**:
* Support the Working Group in the final interview process, ensuring all aspects of the candidates’ suitability are discussed and assessed.
* Facilitate negotiations related to terms of service, legal matters, compensation, and any other contractual matters.
* Support a meeting of the Working Group to approve the best candidate for the CPO Head position.
* **Post-Selection Follow-up**:
* Assist in onboarding the appointed candidate, ensuring a smooth transition to his or her new role.
* Provide support for up to three months post-selection to address any potential concerns or challenges.

1. **Deliverables:**

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

All documents are expected to be provided in Ukrainian language 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 the contract signing | To be submitted to the EUACI contact person by e-mail |
| **2.** | **The Recruitment Plan** | 2 weeks after the contract signing | Ukrainian and English  To be approved by the EUACI and the Working Group.  The Plan should contain:   * the list of documents to be submitted by applicants, * evaluation methodology, * draft of the relevant announcements, * list of distribution channels. * candidate requirements and profile |
| 3. | The **Induction Session** for the Working Group | 2 weeks after the contract signing | The 1.5-hour offline meeting intended to provide the Working Group a clear understanding of the entire selection process, how the selection process will be organized.  The date must be agreed upon with EUACI. |
| 4. | The **Candidate Assessment Report** | 5 weeks after the beginning of selection | The report should outline the qualifications, experience, and fit of each candidate submitted the documents |
| 5. | Selected candidate with signed job offers. | 6 weeks after contract signing | Ukrainian and English  To be approved by the EUACI and the Working Group.  The list should also contain a few potential replacement candidates, in case of candidate withdrawal, non-appointment, or early termination of a member's tenure. |
| 6. | The list and brief minutes of all the Working Group meetings. | 7 weeks after contract signing | The report must include brief minutes of all Working Group meetings, including those during which candidate interviews were conducted, specifying the participants, key issues discussed, and decisions made. |
| 7. | **Induction Session** for the Newly Appointed CPO Head | Approximately 10 weeks after contract signing | The date and format should be approved by the EUACI according to the current state of the matter. |
| **8.** | **Final report** | Approximately 12 weeks after the contract signing | Ukrainian and English  To be approved by the EUACI  A summary of the tasks and outputs delivered under the contract. |

The timelines indicated in the table above are indicative. The Service Provider will reflect on and update the timelines for different activities while preparing and updating the Work Plan.

1. **Timing**

The expected duration of the assignment is up to 3 months (13 weeks), with a tentative start in March 2025 and completion at the end of May 2025 (beginning of June 2025). The assignment will not begin before required legislative amendments and relevant decisions by the Agency are adopted.

1. **Payment**

Payment will be made in a maximum of two installments.

The first installment, representing a maximum of 30% of the total contract value, will be made upon receipt of the Service Provider's Deliverable 1 and invoice, and contingent exclusively upon Agency’s approval of decision to start the recruitment process.

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

1. **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.

1. **Special requirements**

By signing the contract, the contractor (and its representatives) agree to hold in trust and confidence any information or documents, including personal data ("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.

In the case of a potential or actual conflict of interest, the Consultant must inform EUACI of its existence. The Consultant also obliges to abstain from any actions and/or decision-making related to the implementation of the scope of work.

The contractor reports to the EUACI. The contractor shall de-brief the EUACI prior to finalizing the assignment.

The developed deliverables can be checked (as a quality assurance) and payments will be provided by the quality assurance results.

1. **Requirements for the Service Provider:**

Service provider should comply with the following requirements:

1. Registration as a legal entity, including NGO, or private entrepreneur according to Ukrainian legislation.
2. Proven track record of not less than 10 years in recruiting board-level executives, particularly for public sector or municipal enterprises
3. In-depth knowledge of corporate governance legislation, legislation applicable to state-owned enterprises. Understanding of and experience of dealing with procurement legislation and framework in Ukraine, as well construction will be a plus.
4. Strong research capabilities and access to a diverse and qualified candidate pool.
5. Excellent project management and communication skills to ensure transparency throughout the process.
6. Ability to conduct due diligence, including background checks and reference verification of the candidates.
7. Compliance and Ethics:

* Adherence to ethical standards and legal requirements.
* Commitment to confidentiality and data security.

1. **Estimated budget**

The maximum budget available for this assignment is **up to EUR 27 000**. This amount includes subsistence allowance for fieldwork (if business trips are required) as well as costs related to local travel, and other project-related costs such as venue renting, printing or catering.

**HOW TO APPLY**

The proposals with (all documents should be in English):

* A short methodology outlining the consultant’s approach to executive search and candidate assessment (up to three pages);
* CV of the Key staff involved by the tender participant (up to two pages each);
* Portfolio of relevant projects (up to five pages);
* Detail financial Offer (Proposed budget).

The proposals shall be submitted within the above deadline to euaci@um.dk with copy to olga\_kolodochka@ukr.net, indicating the subject line “Recruiter for the CPO”.

Bidding language: English

Any clarification questions for the bid request should be addressed to olga\_kolodochka@ukr.net, no later than **9 April 2025, 18:00 Kyiv time.**

To ensure your documents were successfully received, please check that you receive an auto-reply from our system. If your application is properly received, you will receive an auto-reply from the EUACI mailbox. If you don’t receive an auto-reply, your application was not received, please try again or contact.

**The deadline for submitting proposals is 16 April 2025, 18:00 Kyiv time.**

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

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