26.06.2025

**Terms of Reference for**

**Public Procurement Analyst for the State Agency for Restoration**

 **and Development of Infrastructure 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 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 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.

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 – RORs) are the Customers of construction works and independently determine the main principles of organizing and conducting tender procedures. However, despite the differences, the main stages of the procurement process should be the same or extremely similar. Nevertheless, procuring entities have different approaches to procurement processes, which can lead to certain risks, including management, reputational, corruption, and sanctions risks.

Given that all funds for reconstruction will be used through certain procurement procedures, and since construction projects are among the most complex forms of contracts, building an effective, competitive, and transparent procurement process for reconstruction is one of the key tasks of the Agency's anti-corruption program.

The Law of Ukraine "On Public Procurement" adopted in 2015 and the Prozorro e-procurement system implemented in 2016 have significantly limited the opportunities for manipulations and increased transparency and accountability of public customers, but, like any tool, they require qualified and transparent professionals, as well as constant monitoring and improvement of internal processes to be used effectively. Despite the fact that Prozorro ensures openness, we still face a number of risks that need to be minimized and eliminated.

For the Agency, monitoring and supporting public procurement is a priority. In this regard, the Agency has requested EUACI for support in implementing these activities, as that effective monitoring and control of public procurement processes are critical to ensuring transparency and accountability in the use of budget funds.

As part of the Capacity Development Office, the Public Procurement Analyst will collaborate with other experts to enhance the procurement processes and the capacity of the Agency on procurement stream. The Analyst will be responsible for developing procurement rules and category strategies, as well as monitoring and controlling the implementation measures required for the RORs.

**Objective:**

The main objective of the task is to support Agency and RORs in effective procurement processes. The public procurement analyst will development of internal procurement methodologies, monitor current procedures and report on monitoring results, and support Agency and RORs staff on public procurement and construction issues.

**Scope of work:**

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

1. Development of recommendations for the improvement of procurement of the RORs and the procurement stream of the Agency.
2. Conducting comprehensive monitoring and evaluation of tender documents to ensure their compliance with the established Methodological Recommendations in the procurement process;

- works and services concerning civil infrastructure objects.

1. Participation in Developing the Procedure for Concluding Direct Contracts for RORs.
2. Preparation and submit additional analytical reports or deliverables as requested by the Agency or the RORs.

**Expected 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 to be sent by email to the particular EUACI contact person.

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

|  |  |  |  |
| --- | --- | --- | --- |
| **#** | **Deliverable/Output** | **Timeline** | **Review/Approval** |
| 1 | Report based on the provided recommendations for improvement procurement processes within the RORs and the Agency's procurement stream. | Every month | EUACI team |
| 2 | Draft of the Procedure for Concluding Direct Contracts for the RORs | 3 weeks before contract ending | EUACI team |
| 3 | Report based on the review of tender documentation of the RORs procurements, analyzing their compliance with Methodological Recommendations and legislation related for public procurement in construction works (including annexes with recommendations provided to the RORs). | Every month | EUACI team |
| 4 | A report with a list and description of the analytical materials provided to the Agency or RORs, including the mentioned materials as an annex to the report. This deliverable also includes any other analytical work requested by the Agency or RORs that is not covered by the previous items of these deliverables | In case of necessity | EUACI team |
| 5 | Final Report | 2 weeks before the contract ending | EUACI team |

The timelines indicated in the table above are indicative. The Consultant will reflect on and update the timelines for different activities. Other deliverables are agreed upon with the Agency and EUACI.

**Qualifications**

The contract will be awarded to the expert meeting the following criteria:

## General qualifications:

1. a minimum of a Master’s or Specialist’s degree in construction, engineering, economics, law or a similar field is required,
2. professional construction or project certification will be an asset,
3. additional education or training in public procurement will be an asset,
4. experience in the construction industry, conducting corruption and/or managerial risks assessments,
5. experience in public procurement will be an asset,
6. excellent written and oral communication skills,
7. fluency in Ukrainian is required;
8. ability to speak and write in English language will be an asset.

## Adequacy for the assignment:

1. a minimum of 4 years of professional experience working with construction projects, including tender and procurement procedures;
2. proven experience in cooperation with stakeholders in the national government, local self-government, development partners, state enterprises, public contracting authorities, and civil society;
3. professional experience in public procurement is regarded as an asset;
4. professional experience in procurement category strategy implementation is regarded as an asset.

**Budget, timeframe, and location**

The intended commencement date is the date of signature of the contract with the Adviser and the period of implementation of the contract will be 5 months with a tentative start on the August 2025 and completion on the end of December 2025.

The maximum budget available for this assignment is **13 200 EUR (up to 120 EUR per day).**

During this period, the Consultant will be expected to deliver a maximum of **110** workdays.

Proposals, where the Contract Price offered, exceed the above maximum budget will be rejected.

Payments will require verification of deliverables and approval by the EUACI Component Team Leader of the Consultant ’s progress report and expense outlay.

It is expected that the Public Procurement Analyst will be based at the Agency's office in Kyiv and work closely with the Agency staff and RORs.

**Reporting and management**

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

# Bidding Details

The bidder must submit the following information to be considered:

1. The CV (no more than three pages long) that should include a description of the previous relevant assignments, and key duties on this assignment. (Annex 1)
2. A budget for the services in EUR, inclusive of all taxes or other such charges with a calculation of 110 working days, and information about the level of daily fees. (Annex 2)

If these documents are not submitted in line with the request above, the bid will not be considered.

**Please be aware that the EUACI will publish the name of the winner of this tender.**

**The contract budget cannot exceed 13,200 EUR.**

**How to apply**

The deadline for submitting the proposals is **04 August 2025, 18:00 Kyiv time.**

The proposals shall be submitted within the above deadline to **euaci@um.dk** **with copy to** **olhkol@um.dk**, indicating the subject line “Public Procurement Analyst”.

**Bidding language: English**

Any clarification questions for the bid request should be addressed to olhkol@um.dk, no later than **29 July 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.**

# Evaluation criteria

Bids will be evaluated under the criteria provided below:

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

## Annex 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 similar 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 3 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 Supplier’s Technical Proposal / Methodology**

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.

**Technical approach/methodology regarding: *Name of the contract***

The completed sections regarding methodology **should not exceed 10 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 Suppliers Technical 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]*

**Workplan**

The completed sections regarding Workplan **should not exceed 10 pages**

*[The tenderer shall as part of the tender and in accordance with the requirements insert a work plan (overall time schedule).*

*The Supplier’s work plan will be part of the evaluation in regards the criteria stated in “Criteria and Method of Evaluation”. Thus, the Customer will evaluate the following:*

*(i) Whether the work plan and the milestones are coherent and well-defined*

*(ii) Whether the proposed work plan provide the requested outputs in a timely manner, including whether key activities have been identified, whether the assigned resources and estimated time to carry out the activities seem reasonable]*

*(iii) 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 employees 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:  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
| **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: |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
| **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: |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| **6. OTHER INFORMATION OF RELEVANS TO THE ASSIGNMENT** |
|  |