*Appendix 3*

**TERMS OF REFERENCE:**

**for the procurement of consultancy services for conducting a regulatory review and developing local regulations for the Poltava city administration**

# BACKGROUND AND CONTEXT

**General overview**

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

The European Union Anti-Corruption Initiative (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, businesses, and state institutions. In January 2024, a new phase of the EUACI is 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 specific assignment concerns the EUACI's support for Integrity Cities (intervention area 3).

**The Integrity Cities**

The seven integrity cities with which the EUACI has entered into a partnership under its Component 3 are Zhytomyr, Chernivtsi, Sheptytskyi (former Chervonohrad), Nikopol, Mykolaiv, Poltava and Mariupol. Currently, there are no active projects in Mariupol.

As part of supporting the requests from Integrity Cities, the EUACI is ready to support conducting a regulatory review, updating regulatory procedures, and developing local-level regulations in the Integrity City of Poltava. It is also planned to develop a concept that will include recommendations for changes to national-level legislation, based on the experience gained during this activity.

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

# OBJECTIVE

The objective of this assignment is to support the Poltava City Council in conducting a comprehensive regulatory review, updating regulatory procedures, and developing new or improved local regulations in selected spheres. This process will also result in the development of a concept document with recommendations for national-level legislative amendments aimed at strengthening transparency and accountability in the field of regulatory policy.

This activity is one of the key component of the broader EUACI support to Integrity Cities, contributing to the institutionalization of transparent and accountable governance mechanisms in Poltava. By reviewing outdated, inconsistent, or discretionary regulations, and involving stakeholders such as local officials, businesses, and civil society in the process, the assignment aims to eliminate regulatory gaps, reduce administrative burdens, and minimize corruption risks.

Through the implementation of this assignment, the City Council of Poltava will enhance its capacity to make evidence-based, inclusive, and transparent regulatory decisions in particular spheres sensitive for corruption risks. Updated rules on the placement of temporary structures, mobile trade, outdoor advertising and organization of fairs will ensure predictability for businesses, reduce space for informal practices, and align local policies with anti-corruption principles. At least four field visits and a series of stakeholder consultations will ensure participatory engagement and local ownership of the reforms.

By embedding transparent procedures in local rulemaking and proposing improvements to national legislation, this assignment will reinforce the EUACI’s overarching goal of reducing corruption risks, improvement of transparency and accountability of local governance, and promoting best practices in municipal policy-making.

# SCOPE OF WORK

The scope of work includes all activities necessary to ensure the achievement of the above objective.

The Consultant will be responsible for conducting a full cycle regulatory review, updating regulatory procedures, and developing local regulations in Poltava. And prepare draft of the local act “Procedure for Preparing Draft Regulatory Acts of the Poltava City Council/executive committee” to standardize regulatory process in the city administration based on the specific of the city administration functioning.

The Consultant is also expected to update existing or develop new regulatory acts in the spheres of:

1. placement of temporary structures
2. mobile trade
3. placement of outdoor advertising and signboards
4. organization of fairs

The Consultant will facilitate four discussions with the local business community to review existing regulations, gather their feedback, and incorporate their views, comments, and suggestions into the proposed improvements. At least four field visits by members of the Consultant’s team must be conducted to carry out these activities on-site.

Based on the findings and experience gained, as an instrument for disseminating best practices of the Integrity Cities, the Consultant will also develop a concept document containing recommendations for amendments to national-level legislation in the field of placement of temporary structures, arrangement of spaces for mobile trade, organization of fairs, and related activities, aimed at enhancing transparency and accountability in local governance, and in the field of regulatory policy.

**Kick-Off**

Present the work plan, assignment implementation strategy, and considerations to the EUACI Component Team during the Kick-Off meeting.

# DELIVERABLES:

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

All results must be provided in Ukrainian unless otherwise agreed, see also table 1. Electronic copies are to be sent by email to the designated 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 | **Conduct an analysis and regulatory review** of the all-existing regulatory acts of the Poltava City Council and Executive Committee and prepare recommendations. Conducting extensive sessions about the regulation documents with proper facilitation, including with the deputies of the Poltava City Council. This process should be presented in the format of a report. | 32 weeks after contract signing | To be approved by the EUACI. |
| 3 | To conduct a **basic initial assessment** of compliance with procedures in the implementation of the Law of Ukraine “On the Principles of State Regulatory Policy in the Sphere of Economic Activity” of the Poltava City Council, as well as the compliance of its web resources with the requirements of relevant legislation. | 3 week after contract signing | The document must include items covering all the requirements of the mentioned legislation.  To be approved by the EUACI. |
| 4 | **Prepared draft** of the local act “Procedure for Preparing Draft Regulatory Acts of the Poltava City Council/executive committee” | 7 weeks after contract signing | The document must include items covering all the requirements of the mentioned legislation.  To be approved by the EUACI. |
| 5 | **Update or develop new regulatory acts** in the spheres of 1) placement of temporary structures, 2) mobile trade, 3) rules for the placement of outdoor advertising and signboards, 4) organization of fairs | 18 weeks after contract signing | The documents must include items covering all the requirements of the mentioned legislation.  Each draft decision must be accompanied by supporting calculations in the form of appendices.  To be approved by the EUACI. |
| 6 | **Develop a concept paper** containing detailed recommendations for amendments to national-level legislation in the field of efficient use of municipal land, including the placement of temporary structures, arrangement of spaces for mobile trade, organization of fairs, and related activities. | 33 weeks after contract signing | The document must be discussed with stakeholders and relevant professional associations. In Ukrainian and English versions.  To be approved by the EUACI. |
| 7 | **Final report** | 35 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.

# TIMING

# The expected duration of the assignment is 9 months, with a tentative start in August 2025 and completion in April 2026.

# METHODOLOGY

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

Based on the consultations with the EUACI staff and the needs identified in the documentation provided by the partner city, the Contractor will prepare the work plan and send it to the Project Expert for Integrity Cities for approval at least a full work week ahead of time.

The Contractor's work plan shall be output-based, specifying the outputs the Consultant will be delivering or contributing to, the activities carried out, and the input required in terms of workdays. The contractor should appoint a responsible project manager for communication with the EUACI team and a responsible manager for communication with the city.

# 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 Consultant's updated work plan, Deliverable 1, and invoice.

The second and final payment will be made upon receipt and approval of the Final Report with all other supporting documents, including a Final Invoice.

# QUALIFICATIONS AND COMPETENCE OF STAFF

The Consultant must be a registered legal entity, private entrepreneur, or NGO under Ukrainian law. The assignment described above is expected to be completed by a qualified Consultant or expert team. If third parties or additional experts are engaged in the contract, this must be specified in the proposal.

The assignment described above is expected to be carried out by a qualified Contractor. The Contractor has to meet a minimum of the following requirements:

* minimum 5 years of experience with similar projects, including developing and implementing drafts of local regulations;
* minimum 3 successfully implemented similar projects for local self-governments;
* minimum 5 years of experience in cooperation with local self-governments on the local economic development activities.

# ESTIMATED BUDGET AND LEVEL OF EFFORT

The budget is up to **27,000 EUR**. This amount includes subsistence allowance for fieldwork in the partner city as well as costs related to local travel, and other project-related costs such for example audit, basic technical assessment and printing.

**EVALUATION CRITERIA**

Bids will be evaluated under the criteria provided below:

|  |  |  |
| --- | --- | --- |
| **##** | **Criteria** | **Weight** |
| 1 | Portfolio of relevant projects | 60% |
| 2 | Proposed methodology | 20% |
| 3 | Proposed budget | 20% |

**HOW TO APPLY**

The bidder must submit the following information:

1. Letter of Tender (Appendix 1)
2. Portfolio of relevant projects demonstrating previous experience in similar assignments (PDF, up to 10 pages);
3. Financial offer (proposed budget) with a detailed indication of the fee for each team member separately (Budget template).

To apply, please send all the documents listed above to [euaci@um.dk](mailto:euaci@um.dk), cc [oleana@um.dk](mailto:oleana@um.dk) indicating the subject line **"Regulatory review and developing local regulations in Poltava\_name"**.

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

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

Any clarification questions for the bid request should be addressed to [euaci@um.dk](mailto:euaci@um.dk), cc [oleana@um.dk](mailto:oleana@um.dk) no later than **11 August 2025, 18:00** Kyiv time.

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

Please note that the name of the winner of the tender will be published on EUACI’s website.

**Bidding language: English**