**Terms of reference**

**Procurement of services for corruption risk assessment consultant in the process of technical supervision in local self-government**

# BACKGROUND AND CONTEXT

**General overview**

The European Union Anti-Corruption Initiative (EUACI) Phase 3 is a joint EU and Government of Denmark programme aimed at assisting Ukraine in reducing corruption at the national and local level through the empowerment of citizens, civil society, businesses and state institutions.

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, businesses, and state institutions.

The overall objective of the EU Anti-Corruption Initiative Phase III is to improve the implementation of Ukraine’s anti-corruption policy by supporting the key anti-corruption state institutions: strengthening oversight of reform implementation by Parliament; and at the national and local level supporting civil society, investigative media, business and local governments, thus substantially improving Ukraine’s overall performance in the fight against corruption.

The EUACI has 4 intervention areas, namely:

Intervention 1; that supports key state anti-corruption agencies in improving their effectiveness and independence;

Intervention 2; that supports the efforts of the Government of Ukraine to ensure transparent and accountable reconstruction

Intervention 3; that supports Integrity cities in their efforts to strengthen their integrity, transparency, and accountability;

Intervention 4: that supports Ukraine’s civil society, media, and business community with a view to increase awareness of and engagement in anti-corruption activities.

The partnership with Integrity Cities

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

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

# OBJECTIVE

The goal is to identify possible corruption, technical and management risks in the processes of technical supervision over construction projects in Integrity Cities.

# SCOPE OF WORK

The scope of work includes all activities necessary to ensure the achievement of the above objective, including, but not necessarily limited to

**Kick-Off**

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

**Main tasks**

**1) Review of current legal framework and practices**

a) Analysis of the current regulatory and legislative framework regarding the technical supervision.

b) Analysis of the current state of providing technical supervision in the cities of Mykolaiv, Chernivtsi and Chervonograd. The consultant should focus on analysis of the local legal framework, procedures and processes, terms of procurement of these services, implementation practices at various customers in three cities.

c) Analysis of the practices of other customers of technical supervision works (services), which can be considered as best practice in Ukraine and abroad.

**2) Identification of risks and mitigation mechanisms**

a) Identify the main corruption, technical and management risks that negatively affect on the quality of technical supervision and the possibility of full control at all stages of construction in local self-government.

Risk assessment consists of the following stages: 1) risk identification 2) analysis of the causes of risk 3) determination of the consequences of the existence of a risk

b) Description of possible ways to reduce the level of identified risks on local and national levels.

c) Provide proposals for possible changes in the processes implementation of technical supervision in specified cities.

d) Provide proposals for changes in organizational solutions (with the possibility of using IT technologies) in order to improve the process of providing technical supervision

The consultant must conduct **at least one visit** to work with key stakeholders in the Mykolaiv, Chernivtsi and Chervonograd.

# 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 ahead of presentation during Kick-Off meeting  Ukrainian versions |
| 2 | **Report** based on review of current legal framework and practices | Until the end of 1 month of the contract | The report should contain:   * The results of analysis of legal framework * The results of analysis of best practices in Ukraine and abroad   To be submitted to the EUACI contact person by e-mail in Ukrainian version. |
| 3 | **Report** based on analysis of the current state of providing technical supervision in the cities of Mykolaiv, Chernivtsi and Chervonograd | Until the end of 2 month of the contract | The report should contain:   * analysis of the local legal framework * procedures and processes * terms of procurement of these services * implementation practices * specific proposals for minimizing identified risks in each city.   To be submitted to the EUACI contact person by e-mail in Ukrainian version  Can be prepared as three separate short reports |
| 4 | **Report** with identified main corruption, technical and management risks | Until the end of 3 month of the contract | The report should contain:   * Risks register * Detailed recommendations to eliminate identified corruption risks based on international experience   To be submitted to the EUACI contact person by e-mail in Ukrainian version |

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 **3 months**, with a tentative start on the 8 August 2024 and completion on the 8 November 2024.

# METHODOLOGY

The Consultant will work under the supervision of Senior Project Manager.

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

# PAYMENT

Payment will be made in a maximum of two instalments.

The first installment, 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 Reports and all other supporting documents, including a Final Invoice.

# QUALIFICATIONS AND COMPETENCE OF STAFF

**CONSULTANT REQUIREMENTS**

**General qualifications**

* Master's degree or equivalent in construction, architecture, engineering or another related field that demonstrates the ability to perform the duties and responsibilities as described.
* Proven track record (no fewer than 5 years) of provision of services in the field of technical supervision or engineering over the past 7 years.
* Experience of project implementation and cooperation with public authorities for at least 3 years.
* Certification of technical supervision engineer will be an asset.

**Adequacy for the assignment**

* A minimum of two recent assignments from projects of a similar nature within the past three years.

**Experience in the region and language**

* Relevant working experience in the region.
* Fluency in Ukrainian and English.

# ESTIMATED BUDGET AND LEVEL OF EFFORT

The maximum budget available for this assignment **is up to EUR 9 000.**

It is assumed that the consultant will have **45 working days**, including **8 days of business trips** to three cities.

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 as for example printing.

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

|  |  |  |
| --- | --- | --- |
| # | Criteria | Weight |
| 1 | Budget | 20% |
| 2 | Methodology | 30% |
| 3 | Participant(s) CV(s) | 50% |

**HOW TO APPLY**

The proposals with

1) budget proposal including daily rate and budget for business trips;

2) short methodology of project implementation;

3) CV(s) of the tender participant(s)

shall be submitted in electronic format only within the below deadline to the email: [oleoho@um.dk](mailto:oleoho@um.dk), cc [tarslu@um.dk](mailto:tarslu@um.dk) indicating the subject line **«Сorruption risk assessment consultant in the process of technical supervision».**

Any clarification questions for the bid request should be addressed: [oleoho@um.dk](mailto:oleoho@um.dk), no later than **26 July, 18:00** Kyiv time.

The deadline for submitting proposals is **5 August 2024, 18:00** Kyiv time.

**Bidding language: English**