

**Individual Consultant**

**TERMS OF REFERENCES and PROCUREMENT NOTICE**

Date: 16.06.2022

**Country:** Republic of Azerbaijan

**Project name:** National Adaptation Plan (NAP) Support Project for adaptation planning and implementation in Azerbaijan

**Description of the assignment:** Legal Expert on national climate change

**Period of the assignment/services**: 10 months (July 2022 –April 2023), 170 consultancy days

Proposal should be submitted by email to [procurement.aze@undp.org](mailto:procurement.aze@undp.org) no later than June 23, 2022, 18:00 by local time, Azerbaijan

Any request for clarification must be sent in writing, or by standard electronic communication to the address or e-mail indicated above. UNDP in Azerbaijan will respond by standard electronic mail and will send written copies of the response, including an explanation of the query without identifying the source of inquiry, to all shortlisted consultants.

**1. BACKGROUND**

Financed by Green Climate Fund (GCF) this project will support the Government of Azerbaijan to facilitate the development of the National Adaptation Plan (NAP) and improve climate change adaptation (CCA) actions in three priority sectors identified by the Ministry of Ecology and Natural Resources (MENR) of the Republic of Azerbaijan through stakeholder consultations: water, agriculture and coastal areas.

The NAP readiness support objective is to increase capacity on climate resilience and adaptation in those three sectors through the implementation of actions and activities that will reduce or eliminate barriers for an effective adaptation process at both the national and local levels.

**2. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED WORK**

In the scope of the project, the UNDP Country Office in Azerbaijan will contract the services of the legal expert to assist the National Project Manager to analyze the current legislation and regulatory frameworks for the three sectors. Based on the initial assesment, the consultant will organize roundtable discussions for participatory discsusion to develop new legislation options (legislative acts), one for each sector and design TORs for an independent legal institution to design new legislative acts.

S/he will work closely with the project national consultants, under overall supervision of the National Project Manager.

**Duties and Responsibilities**

Specifically his/her responsibilities will include but are not limited to the following:

* Evaluate the compendium of normative legal acts in the country regulating water resources management and coastal zones;
* Prepare gap analysis and propose recommendations on integrating climate change adapation in existing legislative frameworks on water resources management and coastal zones;
* Prepare recommended amendments/changes to the existing legistlative framework with a view of strengthening focus on climate change adaptation
* Review the Terms of Reference/Statute of the State Commission on Climate Change and suggest recommendations for it is improvement in line with the international standards;
* Provide technical expertise and guidance to the work of the independent legal institution to be hired to design drafts of the new legislation options (legislative acts), one for each sector, with CCA indicators;
* Support the lead international legal consultant Participate in the evaluation of technical proposals received from the procurement case of hiring the institution to design drafts of the new legislative documents with CCA indicators;
* Organize workshops and meetings to discuss the findings of the legal review of the water resources management and coastal zones.
* Consult key stakeholders involved in water resources and coastal zone management in Azerbaijan to discuss the timelines, proposals and roadmap for the development of new legislative acts/guidelines on climate change adaptation sensitve water and coastal zone management legal framework

**3. EXPECTED DELIVERABLES AND TIMETABLE**

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| **Deliverable** | **Timetable** |
| Advance payment | **July 2022** |
| Evaluation of the water resources management and coastal zones in Azerbaijan from the perspective of mainstreaming climate change adaptation | **July 2022** |
| Reports of workshops/discussions with the relevant competent authorities on the legal review outcomes for the sectors on water resources management and coastal zones for mainstreaming climate change adaptation | **August 2022** |
| Appraisal of technical proposals for the selection of an independent legal institution to design new CCA legislative acts | **September/October 2022** |
| Final Report with recommendations on integrating climate change adaptation into existing and new normative legal acts on water resources management and coastal zones | **February 2023** |

**Location:** The assignment will be based in Baku, Azerbaijan.

**Travels**: No international and local travels are envisaged at this point. However, if required, it will be covered seperately.

**Reporting**:

S/he will be reporting to the National Project Manager. The consultant must ensure timely fulfillment of his/her assisting and support actions, including reporting, thus making timely and sufficient contribution to the timely preparation and submission of the project implementation and procurement plan as well. The local consultant should closely collaborate with the National Project Manager in order to complete the above-mentioned deliverables with high quality. The language of the report should be discussed with the National Coordinator priorly after finalizing the contracting process and shall be submitted in English.

**4. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS**

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| * Advanced university degree in law, international law, environmental management. * At least 5 years of experience in the sector of law/jurisprudence, environmental law or another related field. * Proven experience in development of legal and regulatory documents. * Proven experience in and good knowledge of the context of co-operation with governmental institutions of Azerbaijan. * Experience with projects of international organizations, particularly with UNDP. * Fluency in Azerbaijani and English |

**5. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS.**

Interested individual consultants must submit the following documents/information to demonstrate eligibility of their qualifications:

* Offeror’s letter to UNDP conforming interest and availability for the Individual Contractor (IC) Assignment
* CV or duly filled out and signed P11 Form
* Description of Approach to Work
* Breakdown of Costs Supporting the Final All-Inclusive Price as per Template

If any of the above-mentioned documents is missing UNDP holds the right to reject the respective proposal altogether.

**6. FINANCIAL PROPOSAL**

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| **Contract Payment:**   * **Lump sum contracts**   The payments will be made in accordance with the deliverables in the attached TOR. In the financial proposals, candidates should show the total amount expected for this work. The payment will be done due to the following schedule:   1. Advance payment – 20% of the total amount as an advance payment 2. 1st installment - 20% of the total amount upon completion of deliverable #1; 3. 2nd installment - 20 % of the total amount upon completion of deliverable #2; 4. 3rd installment - 20 % of the total amount upon completion of deliverable #3; 5. 4th installment - 20 % of the total amount upon completion of deliverable #4; |

**7. EVALUATION**

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| Experts will be evaluated based on the following methodologies:  Cumulative evaluation that takes into account both financial offer and the technical expertise of the potential candidatesbeing reviewed and compared. The Price Component will be reviewed only for those individuals whose Technical Component meets the requirements for the assignment. The total number of points which individual may obtain for both components is 100. A two-stage procedure will be utilized in evaluating the proposals, with evaluation of the technical component being completed prior to any price componentThe technical component, which has a total possible value of 70 points, will be evaluated using the following criteria: **Local consultant will be hired if he or she meets the following requirements:**   * Advanced university degree in law, international law, environmental management. – 10 * At least 5 years of experience in the sector of law/jurisprudence, environmental law or another related field. - 15 * Proven experience in and good knowledge of the context of co-operation with governmental institutions of Azerbaijan. -10 * Experience with projects of international organizations, particularly with UNDP - 15 * Fluency in Azerbaijani and English – 10 * Approach to work - 10   ***The minimum threshold for technical component is 70% of the points in total. (49 points)***  If the substantive presentation of a technical proposal achieves the minimum of 49 points, the competitiveness of the offered consultancy expenses will be taken into account in the following manner:  The total amount of points for the fees component is 30. The maximum number of points shall be allotted to the lowest fees proposed that is compared among those invited individuals which obtain the threshold points in the evaluation of the technical proposal. All other proposals shall receive points in inverse proportion to the lowest fees; e.g;  [30 Points] x [US$ lowest]/[US$ other] = points for other proposer’s fees  **Note:** Having reviewed applications received, UNDP may invite the top 3 shortlisted candidates for an interview, if needed. |

**8. MONITORING**

The monitoring of fulfillment of the assignment by the consultant will be conducted by the Project Manager.

**9. ATTACHMENTS:**

* Project Document
* UNDP General Conditions of Contracts for the services of individual contractors
* Template for confirmation of interest