



UNITED NATIONS DEVELOPMENT PROGRAMME

PROCUREMENT NOTICE/TERMS OF REFERENCE

National Consultant:	Data Collector in support of the evaluation of final outcomes of the “Afghanistan Access to Justice” Project
Project title:	Law and Order Trust Fund (LOTFA) Rule of Law and Human Security Unit
Duration of assignment:	1.5 months (33 working days)
Duty station:	Kabul, Afghanistan
Budget available for this IC:	Available

BACKGROUND

UNDP GLOBAL MISSION STATEMENT

UNDP is the UN's global development network, an organization advocating for change and connecting countries to knowledge, experience and resources to help people build a better life. We are on the ground in 166 countries, working with national counterparts on their own solutions to global and national development challenges.

UNDP AFGHANISTAN MISSION STATEMENT

UNDP supports stabilization, state-building, governance and development priorities in Afghanistan. UNDP support, in partnership with the Government, the United Nations system, the donor community and other development stakeholders, has contributed to institutional development efforts leading to positive impact on the lives of Afghan citizens. Over the years UNDP support has spanned such milestone efforts as the adoption of the Constitution; Presidential, Parliamentary and Provincial Council elections; institutional development through capacity-building to the legislative, the judicial and executive arms of the state, and key ministries, Government agencies and commissions at the national and subnational levels.

UNDP Programmes in Afghanistan have benefited from the very active support of donors. UNDP Afghanistan is committed to the highest standards of transparency and accountability and works in close coordination with the United Nations Assistance Mission in Afghanistan and the UN system as a whole to maximize the impact of its development efforts on the ground.

ORGANIZATIONAL CONTEXT

Afghanistan Access to Justice Project has supported populations increased access to justice in particular for vulnerable and marginalized groups. The project includes all government justice institutions and is managed and executed by them. Interventions are organized around following thematic areas: (1) Afghans, in particular women, children, prisoners and pre-trial detainees, are increasingly aware of their rights and receive legal aid; (2) Increased capacity and coordination among targeted justice institutions in relation to Elimination of Violence against Women (EVAW); (3) The Ministry of Justice strengthens its legislative drafting and human rights capacities; (4) The Project is implemented in accordance with the project document and in a timely, efficient, accountable and effective manner.

The Mid-term evaluation of the project has confirmed its relevance and alignment with national priorities including the constitution, National Justice and Judicial Reform Plan and Afghanistan National Peace and Development Framework (17-21). The mid-term review found project's outputs being partially effective with some outputs being more successful than the others given geographical coverage, security and other constraints. For example, the MTR could not identify evidence on results achieved in relation to the implemented activities or quality data to support impact analysis with regards to the "Legislative drafting and human rights capacities {of the Ministry of Justice}" at the time of the mid-term review.

At the same time, another of the findings states that the access to justice has been increased through the public consultations at the provincial level, which is a contribution to the demand side of programming and showcases that the project has a basic understanding that "access to justice" requires not only strong institutions but also public awareness.

Having learnt from MTR, UNDP attempts to fill the data gaps and have this evaluation focus entirely on project's impact level results.

OVERARCHING OBJECTIVES OF THE IMPACT EVALUATION AND TWO FUNCTIONAL REVIEWS

This assignment will be two-folded consisting of:

1. Impact evaluation of the entire "Afghanistan Access to Justice" project
2. Separate horizontal Functional Reviews of the two project partners, e.g. BAR Association and Legal Aid Department of the Ministry of Justice

UNDP intends to conduct the Impact Evaluation and the two Functional Reviews with the overarching objective to learn from the present {completing} project and inject the knowledge gained into the new Access to Justice Project(s).

1. The Impact Evaluation on its own has an objective to measure impact of project's activities and results; to understand UNDP's management and implementation approach; to understand effectiveness, constraints and opportunities with regards to improving citizen's access to justice system; and to inform UNDP, its national and

international partners as well as donors about any areas of improvements and lessons learnt.

2. Two separate Functional Reviews of projects partners, namely the BAR Association and the Legal Aid Department of the Ministry of Justice, although conducted independently, will be an integral part of the final impact evaluation report. The functional reviews will be conducted horizontally and have an objective to analyze functions vis-à-vis services provided to and demanded by the citizens.

The mid-term review results should be taken into account while designing present impact evaluations' framework. This assignment will be conducted through a consultative process with UNDP, MOJ, Mol, project donors and beneficiaries.

Results of the Impact Evaluation and Functional Reviews will be officially published and be available for UNDP's national and international partners as well as donors.

PURPOSE OF THE ASSIGNMENT

Against this background, UNDP is hiring four independent consultants (two international and two national) to carry out the Final Impact Evaluation of the AA2J project with two Functional Reviews as part of this process which will be conducted through a consultative process with UNDP, MOJ, Mol, project donors and beneficiaries. The Impact Evaluations team will be comprised of the following members:

1. International Consultant: Team Leader, will focus on evaluation of final outcomes. Responsible for the final report.
2. International Consultant: Researcher, will focus on functional reviews of the two entities
3. Local Consultant. Data Collector in support of the evaluation of final outcomes.
4. Local Consultant. Data Collector in support of the Researcher for functional reviews.

Present TOR is defining the role and responsibilities of the Data Collector in support of the evaluation of final outcomes and attribution analysis.

The Data Collector will directly report to the International Consultant/ Team Leader and work under overall supervision of the Head of the ROLHS Unit, Access to Justice Programme Management Specialist and the Senior LOTFA M&E Advisor.

A. EVALUATION SCOPE AND OBJECTIVES

The impact evaluation's main objectives are:

- To inform UNDP, its national and international partners as well as donors about project's achievement, failures and impacts;
- To understand major factors which influenced achievement or non-achievement of project's sustainability;
- To help national partners and UNDP identify any systematic gaps and issues that could

- be addressed in the future programming of strategies, policies and legislation;
- To review and report on beneficiaries' experiences and level of satisfaction with services provided within the scope of the project.

More specifically, the impact evaluation will provide an independent perspective about:

- Project's impacts in providing additional access to justice services to disadvantaged groups as specified in the Project Work Plans and evaluate beneficiary's satisfaction with these services;
- Timeliness and effectiveness of achievement of planned outcomes and outputs as specified in the Project Document and Revised Document (as of mid 2018) meeting expectations from partners and donors;
- Assess efficiency and effectiveness of stakeholders' involvement and related coordination mechanism;
- The Evaluation will also review the project's management and implementation approach

The impact evaluation should cover all partners (international and national) as well as programmatically all of its four Outputs:

- Output 1. **Legal Aid and Legal Awareness:** Afghans, in particular women, children, prisoners and pre-trial detainees, are increasingly aware of their rights and receive legal aid
- Output 2. **Justice Sector capacity and strategic coordination with focus on ERAW:** Increased capacity and coordination among targeted justice institutions in relation to Elimination of Violence against Women (ERAW)
- Output 3. **Legal Protection:** The Ministry of Justice strengthens its legislative drafting and human rights capacities
- Output 4. **Project Management:** The Project is implemented in accordance with the project document and in a timely, efficient, accountable and effective manner
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The impact evaluation will cover Project's duration from April 2016 till end of December 2018.

B. EVALUATION APPROACH AND METHODOLOGY

The impact evaluation's methodology including evaluation framework will be designed by the independent evaluators team recruited for this purpose at the start of their assignment.

The evaluators are expected to suggest the right impact evaluation methodology and framework. The evaluation methodology should include a combination of qualitative and quantitative approach. The evaluation framework should outline the key evaluation questions, the sub-questions and related indicators as well as respective quantitative and qualitative data collection and analysis tools.

The evaluation specialists should review all relevant sources of information including documents and previous evaluations and assessments. The evaluation specialists will also interview all relevant stakeholders including all parties who have been contracted by the project or participate in meetings and discussions with the project.

The evaluation team should use internationally recognized methodologies to conduct present impact evaluation (OECD/DAC, World Bank, UNEG).

DATA COLLECTION

Data collection should be done using ROLHS unit’s recruited resource – www.ona.io. Evaluation team will be guided by the ROLHS unit’s M&E team on the use of the platform.

EXPECTED OUTPUTS, DELIVERABLES AND TIMELINES

The following key deliverables are expected from this assignment:

- 1) **Data collected, properly documented and reflected in the initial findings of the Evaluation Team Report** in parts related to “outcome evaluation and attribution analysis”
- 2) **Accurate, objective and unbiased translation services provided** both oral and written in support to the smooth implementation of the Evaluation process: interview forms and interview processes, data collection tools.
- 3) **Final Impact Evaluation Report** – a contribution to the data analysis in part related to the outcomes evaluation and attribution analysis.

EXPECTED DELIVERABLES:

#	Deliverable	Number of working days	Due date
1	Deliverable 1: Data collected, properly documented and reflected in the initial findings	10 days 30%	February 10, 2019
2	Deliverable 2: <i>Accurate, objective and unbiased translation services provided</i> , both oral and written in support to the smooth implementation of the Evaluation process: interview forms and interview processes, data collection tools.	13 days 30%	February 25, 2019
3	Deliverable 3: Final Impact Evaluation Report – a contribution to the data analysis in part related to the outcomes evaluation and attribution analysis	10 days 40%	March 7, 2019

NOTE

EXISTING INFORMATION SOURCES:

Process and recommended methodology:

The Evaluation and evaluation report will follow UNDP, World Bank (Impact Evaluations Guide) and UN Evaluation Group (UNEG) Norms and Standards for Evaluations.

Accountabilities:

UNDP project staff will be accountable for coordination of stakeholders involved, organizing field-visits, focus groups, and other logistical issues. UNDP CO/programme staff will be accountable for reviewing/approving of intermediate and final evaluation results. The evaluator shall be independent in evaluation exercise, however taking into account sensitive issues which may arise during the course of assessment. There are no specific concerns related to conflict of interest.

- Specify the roles and responsibilities of the Programme Unit/Chief PSRT/M&E Specialist/Team leader and team members, as well as other stakeholders and advisory structures involved, e.g. steering committees. This section should clarify who is responsible for:
 - Liaison with the Evaluation/Study/Survey team
 - Providing technical guidance
 - Co-ordinating the stakeholders involved
 - Selection, orientation and training of team members, data collection assistants where applicable, interpreters
 - Approval of intermediate and final products
 - Capacity-building with stakeholders, national or other (a possible responsibility of the evaluation team).
 - Specify any concerns or restrictions related to conflicts of interest.

The AA2J team will serve as the primary contact with the Evaluation team. Technical guidance will be provided both from the Rule of Law Unit, Programme Strategy & Results Team (PSRT) as well as the Regional M&E Advisor (or equivalent). The Programme Unit together with **AA2J team** will coordinate the e.g. key informant interviews, consultative meetings and field visits with duty-bearers and rights-holders. The Office M&E team will also serve as a consultative body, which will review the preliminary findings and draft report. The Head of the Rule of Law Unit will give approval for the final Evaluation report.

Payment Modality, Schedule and Percentage:

Payments under the contract will be linked to deliverables and made on receipt of the specific milestones indicated above, and including a timesheet according to UNDP procurement formats for individual contractors:

1. The first payment upon completion of Deliverable 1, 30%
2. The second payment upon completion of Deliverable 2, 30%
3. The third payment upon completion of Deliverable 3, 40%

The payments will be paid upon the full completion and acceptance of contractual obligations whereupon the Chief of UNDP Rule of Law and Human Security (ROLHS) Unit signs the certification of acceptance.

WORKING ARRANGEMENTS

Institutional Arrangements:

The National Consultant will work in the ROLHS team led by ROLHS Unit Head and under the overall supervision of the **Senior M&E Advisor and the Access to Justice Advisor**. The consultant shall work in close collaboration with other members of the M&E team, the UNDP ROLHS Unit, and as well as other units within the UNDP Country Office.

The ROLHS Unit will provide office space and internet facility, logistical and other support service including transport and security applicable to UNDP local personnel. The consultant however is expected to bring his/her own laptop and mobile phone and meet local communications costs. Costs to arrange meetings, workshops, travel costs to and DSA during field visits (if any), etc. shall be covered by the ROLHS Unit.

Duration of the Work:

Performance of the works under this contract shall be completed within 1.5 months (with maximum of 33 working days) after signing the contract, including all preparation works and on-site visits. The target date for the start of the works will be **December 5, 2018**.

Duty Station

Work will be carried in and out of country. When in-country, the duty station for the contractor staff is Kabul, Afghanistan although some field visits outside Kabul may be necessary. Before planning field visits, Contractor shall provide CV of visiting representatives for approval. When in Kabul, the contractor will be based at and report regularly to the ROLHS Unit (UNOCA) during the working hours, security conditions permitting. The contractor will follow the working hours and weekends as applicable to UNDP CO staff. Contractor's movement for meetings and consultations shall be coordinated by the ROLHS Unit. The contractor is at all times required to observe UNDP security rules and regulations. When out-of-country the contractor may work either at home or at the home-base location.

REQUIREMENTS FOR EXPERTISE & EXPERIENCE

Required expertise and experience:

- Hands-on experience in data collection and analysis in development context (at least 5 years)

- Experience in conducting translation services in support of the research and evaluations in the development context (at least 5 years)
- Excellent communication skills both written and verbal
- Previous experience working with the UN and international donors;
- Experience of working in fragile conflict affected states and (desirable) specific experience and expertise in post-conflict reform of law and order.
- Extensive in working in multi-cultural teams;

Language:

- Excellent written and oral English, Dari.
- Pashto language skills is a strong asset

Core competencies:

- Promotes ethics and integrity and creates organizational precedents;
- Builds support and political acumen;
- Builds staff competence and creates an environment of creativity and innovation;
- Builds and promotes effective teams;
- Creates and promotes environment for open communications;
- Leverages conflict in the interest of UNDP and sets standards;
- Shares knowledge across the organization and builds a culture of knowledge sharing and learning.

Price Proposal and Schedule of Payments:

The contractor shall submit a price proposal as below:

- **Daily Fee** – The consultant shall propose a daily fee, which should be inclusive of her/his professional fee, local communication costs and insurance (inclusive of medical health insurance and evacuation). The professional daily fee, all inclusive of the above elements, shall be paid upon submission of timesheet. The number of working days for which the daily fee shall be payable under the contract is **33 working days maximum**.
- **Payment schedule** - Payments shall be done upon verification of completion of specific reports, deliverables and approval by the consultant's supervisor/ LOTFA management.

Evaluation Method and Criteria

Individual consultants will be evaluated based on the following methodology:

Cumulative analysis

The award of the contract shall be made to the individual consultant whose offer has been evaluated and determined as:

- Responsive/compliant/acceptable; and

- Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.

Technical Criteria weight 70%;

Financial Criteria weight 30%.

Only candidates obtaining a minimum of 49 points (70% of the total technical points) would be considered for the Financial Evaluation.

Technical Criteria 70 points:

Qualification and Experience (70 marks) [evaluation of CV]:

- General Qualification (30 marks);
- Experience relevant to the assignment (40 marks).

Documents to be included when submitting the proposals:

Interested individual consultants must submit the following documents/information to demonstrate their qualifications in one single PDF document:

- Duly accomplished Confirmation of Interest and Submission of Financial Proposal Template using the template provided by UNDP (Annex II) as well as the contact details (email and telephone number) of the Candidate and at least three (3) professional references.
- Personal CV indicating all past experience from similar projects.