#### Terms of Reference

#### 1. PROJECT BACKGROUND AND OVERVIEW

# 1.1 Project factsheet

Project name	Procurement Support Services to the MoH project (MoH PSS Project)	
Project IDs	90474;	
Services required	Forward-Looking Evaluation of UNDP's MoH PSS	
	Project	
Country / Duty Station	Ukraine, national	
Starting date of assignment	December 2019	
<b>Duration of Initial Contract</b>	Up to 3 months	
Supervisor's name and functional post		
Payment arrangements	30 days net upon provision of deliverables, duly	
	certified by UNDP	

# 1.2 Project background and context

After the 2013-2014 Revolution of Dignity, the new Government has made a breakthrough in anti-corruption policy, legal and institutional reforms by adopting an anti-corruption strategy and legislative package which strives to bring the country into compliance with international anti-corruption standards. True to this commitment, the Government of Ukraine, particularly the Ministry of Health, in cooperation with civil society initiated the reform of the state healthcare procurement, as one of the most important ones.

Mindful of the long-lasting nature of such a reform process, and of the need to avoid further disruption in the provision of certain medicines to Ukrainian patients, in 2015 the Parliament of Ukraine modified the national legislation and temporarily transferred the procurement of the essential medicines and medical devices to international organizations until March 2019. In late 2018, the Parliament extended the legislation which enables international organizations such as UNDP to procure the medicine and medical products until the end of March 2020. On 19 September, the Verkhovna Rada approved bill No. 1076 in second reading, which extended the medicines procurement through international organizations for another two years. As a result of the March 2019 elections a new President was elected by a swaying majority of 75 % of national votes. The July Parliamentary Elections ended with the Presidential party getting absolute majority in the Parliament as well. These rapid political changes resulted in the new political landscape and reform agenda in the country. With the limited capacity of MoH in health procurement (Central Procurement Agency created in late 2018), it's important to understand how the procurement of medicine and medical products will be performed after March 2022.

Back in n 2015, UNDP started procuring medicines and medicinal products on behalf of the Ministry of Health of Ukraine, as an emergency response and following a request of the government of Ukraine. This emergency temporary measure was designed to restore supply of medicines to Ukrainian citizens, which had been previously interrupted due to inefficiencies. The necessary cost sharing agreement was signed at the end of 2015 and since then UNDP conducted procurement for 111 programmes brining additional savings for more than \$66 mln as of now

The Procurement Support Services to the Ministry of Health of Ukraine project (MoH PSS Project), the largest project of UNDP Health&Transparency Programme, aims to strengthen the national healthcare procurement system and thereby improve the effectiveness of diagnosis and treatment for Ukrainian patients. In the short term, UNDP provides support to the Ministry of Health for cost-effective and timely procurement of life-saving medicines and medical products in Ukraine. In the long term, in cooperation

with UNICEF and WHO, UNDP helps the Ministry of Health to develop its own operational and professional capacity to efficiently perform medicine procurement, based on international standards. As soon as a designated agency under the Ministry of Health and reaches the required capacity to manage a fully functioning national procurement system, including effective and accountable supply chain management, has appropriately trained personnel and efficient management processes that meet international standards and guarantee that healthcare needs of all Ukrainians are met with integrity, transparency and accountability, UNDP will progressively hand over the procurement of medicines to the assigned agency under the Ministry of Health.

Additionally, to the health reform challenges, Ukraine continues to have a concentrated HIV epidemic among key populations (including people who use drugs, sex workers, men who have sex with men, transgender people and prisoners). The HIV epidemic is characterized by a growing number of registered HIV cases in most regions of the country. The rapid assessment data of HIV service organizations report indicates growth of risk behaviour (especially in the collective centres for internally displaced persons, losses of prevention networks and increased use of drugs (including injecting). UNDP MoH PSS Project contains a component related to HIV/TB response in Ukraine.

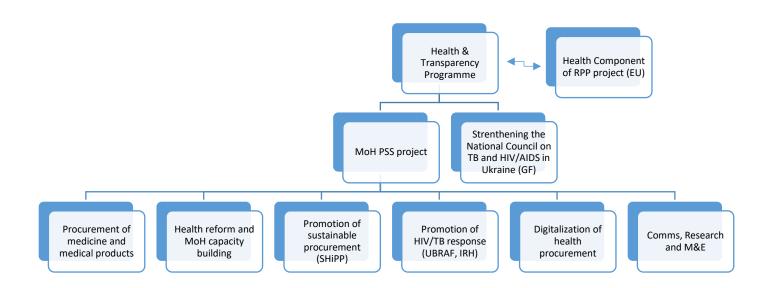
In 2018 UNDP began implementation of the Sustainable Health in Procurement Project (SHiPP) in collaboration with Health Care Without Harm (HCWH), and funded by the Swedish International Development Agency, that aims to reduce the harm to people and the environment caused by the manufacture, use and disposal of medical products and by the implementation of health programmes. SHiPP is a four-year project aiming to promote sustainable procurement in the health sector, in the United Nations (UN) Agencies, and in key project countries through the reduction of toxicity of chemicals and materials in health products, the reduction of greenhouse gases in the supply chain and the conservation of resources. Project countries include Guatemala, Moldova, Ukraine, Tanzania, Vietnam, and Zambia. Since January 2013 UNDP helps to strengthen the capacity of the National Council on TB and HIV/AIDS (NTHC) in fulfilling its functions of the Country Coordination Mechanism in line with the requirements and recommendations of the Global Fund to Fight AIDS, TB and Malaria. These include the oversight function, involvement of all stakeholders, and ensuring consistency of response of the National Programs on TB and HIV/AIDS and the Global Fund grants.

As part of a new four-year funding agreement with EU titled Support to the East of Ukraine – Recovery, Peacebuilding and Governance to be implemented through indirect management by UNDP in partnership with UNFPA, FAO and UN Women, UNDP will work with stakeholders in the crisis-affected regions of Ukraine on supporting decentralization reform and good governance, economic recovery and MSME's development, community security and social cohesion, as well as the health reform promotion. As part of the Health Component, the Programme will support the health reform rolling out by capacity building of local stakeholders in strategic planning, promoting transparency, integrity, anticorruption and best procurement practice, ensure the patients' oversight and monitoring, health promotion, awareness raising, and behavioural change and support to the primary health care reform at the local levels in the East of Ukraine.

UNDP seeks to conduct a forward-looking evaluation of the MoH PSS Project to formulate the future vision of UNDP's work in health area. The nature of the evaluation is largely a management tool to provide the Government of Ukraine, programme team and stakeholders with an account of the project's results assessed against the initial plans, project documents and cost-sharing agreements, provide recommendations and guide development of more consistent and result-oriented Health & Transparency Programme (the Health Programme).

#### 2. SCOPE AND OBJECTIVE OF THE ASSIGNMENT

The main objective of the assignment is to conduct a forward-looking Evaluation of the Procurement Support Services to the MOH project. The purpose of the evaluation is two-fold: a) to assess the implementation of the MoH PSS Project, both its medicine procurement component (at least 5 nosologies [TBD] procured from 2015-18 budgetary years¹) as well as its development/programme component using generally accepted evaluation criteria and draw lessons learned; and b) to provide recommendations and inform the future development of UNDP's health activities.



This forward-looking evaluation will assess the project's performance against the review criteria: **relevance**, **effectiveness**, **efficiency**, **sustainability and impact**. The evaluation should specifically explore the issues of the project's effectiveness, interlinkage with other UNDP's initiatives stated above, and initial impact referring to the project's document as well as the current legislation. The cross-cutting issues such as gender and human rights as well as other UNDP programme principles should be additionally considered per UNDP's evaluation guidelines. The evaluation should propose potential options of using the UNDP approaches to reform the health sector and the system of public procurement in Ukraine for possible new interventions in this area. More specifically, it will cover, but not be limited to, the following areas and PRELIMINARY questions:

#### A. RELEVANCE

The report will examine the extent to which the UNDP health interventions are relevant to the:

- Country context: How relevant are UNDP's health interventions to the Ukrainian society in general and specifically for the Government's needs and priorities? To what extent are the project aligned with the policies and strategies of the Government, SDGs as well as UNDP/UNDAF country programme strategy?
- How relevant are other UNDP's health interventions including the CCM project and the health component of the Recovery and Peacebuilding Programme to the country needs? How these activities contribute to the development of a coherent and efficient Health&Transparency Programme?
- Does the Project fulfil the needs of vulnerable groups (HIV/TB, orphan diseases, autism, etc)? Are there any gender issues considered and what can be done additionally to capture these needs?

<sup>&</sup>lt;sup>1</sup> The selection of programmes will be undertaken jointly with the project team and will be based on the priorities of the EU-Ukraine Association Agreement (Charter 22 Public Health).

• Does the Project remain relevant considering the changing environment while taking into consideration the risks/challenges mitigation strategy? Is there a need to reformulate individual projects' design and the projects' results framework given changes in the country and operational context (in case the project will be extended in 2020)?

#### **B. EFFECTIVENESS**

- Assess the overall performance of the Project with reference to its respective projects documents/costsharing agreements, strategies, objectives and indicators, and identify key issues and constraints that affected the achievement of the project's objectives.
- What are the results achieved beyond the logical frameworks, particularly, referring to the new legislation on public procurement which expected to reduce the delivery time and the costs, and to improve the quality of procured medicines, vaccines and medical products? What were the supporting factors? What are the main lessons learned from the partnership strategies and what are the possibilities of replication and scaling-up?
- What could have been done differently in the project (from a methodology and/or activity, or resource usage point of view) to implement the project more effectively?
- How the future interventions could build on or expand the achievements?
- How have stakeholders been involved in the Project implementation? How effective has the health interventions been in establishing ownership (e.g. by the Central Procurement Agency/Medical Procurement of Ukraine)?
- How well the project was able to follow the key environmental sustainability policies and practices to lower the negative environmental and social impacts of procurement to contribute to the development of a more sustainable health sector?

### C. EFFICIENCY

The extent that to which (see detailed requirements below):

- To what extent the Project is cost effective. Is the Project using the least cost options? Has the cost and delivery time of the procured medicine and medical products decreased, and if yes for how much? Is the procurement conducted by UNDP more efficient than other procurement conducted by state and private agents?
- Have resources (funds, human resources, time, expertise, etc.) been allocated strategically to achieve the relevant outputs and outcomes?
- Has the Project produced results (outputs and outcomes) within the expected time frame? Was implementation delayed, and, if it was, did that affect cost effectiveness or results?
- Was the projects management, coordination and monitoring efficient and appropriate?

### D. SUSTAINABILITY

Sustainability is understood as the likelihood of continued benefits after the intervention ends. Assessment of the sustainability of the Project results will be given special attention.

- To what extent are the project's results (impact, if any, and outcomes) likely to contribute after the interventions' ends? Define the areas that produced the most sustainable results, and the most promising areas requiring further support and scaling-up in the course of future interventions.
- Is there sufficient public/stakeholder awareness in support of the Project's long-term objectives?
- To what extend the Central Procurement Agency (Medical Procurement of Ukraine), supported by UNDP, has the necessary capacity to conduct efficient procurement of medicine in Ukraine? What future steps could be undertaken by UNDP to ensure sustainability of the Agency.
- Is the Project's activity likely to continue, be scaled up, replicated and increasingly contribute to the health reform and sustainable public procurement after the end of the interventions? Define which of the platforms and communication networks developed in the framework of the Project have the highest potential for further scaling up and/or replication.

#### E. IMPACT

- Has the Project contributed or is likely to contribute to long-term changes for the national health care
  procurement system and thereby improve the effectiveness of diagnosis and treatment of the patients of
  Ukraine? Did the Project contribute to reducing corruption risks associated with public health sector
  procurements in the past? Did the project contribute to effective response to HIV/TB and other health related
  vulnerable groups?
- What impact had the Project on the representatives of vulnerable groups?
- What impact the project had regionally and globally (governments and UNDP). How successful are the replications of the Ukrainian MoH PSS Project in other countries?

### F. FUTURE OUTLOOK

- Considering that the legislation enabling the international organizations such as UNDP to undertake the procurement of medicine on behalf of the Government ends in March 2020 what should be future steps for UNDP to ensure sustainability of its health programme (exist strategy, new development actions, etc.).
- Based on the UNDP experience as well as other reforming partners, what are the best future options for UNDP to support the reform of the public health system and health procurement in Ukraine?
- What should be the priorities, focus areas of intervention and design of future UNDP initiatives to ensure the sustainability of interventions considering the changing context of decentralization and local governance reform?
- What approaches should be further utilized by UNDP? What actions should be dropped?
- What is the level of UNDP potential partners readiness in a potential follow up phase for the Project? What are the external factors to be considered, risks and risk mitigation measures?
- How to improve the data collection mechanism considering limited country capacity to provide up-to-date data in limited time?
- Which new indicators should UNDP utilize to assess the progress of its healthcare interventions?

The final list of evaluation guestions and tools to be proposed by the evaluator and agreed with UNDP.

# Recommendations on the cost efficiency assessment.

As part of the evaluation exercise, an efficiency assessment on the procurement of medicine and medical products needs to be conducted for at least 5 nosologies. The selection of programmes will be undertaken jointly with the project team and will be based on the priorities of the EU-Ukraine Association Agreement (Charter 22 Public Health). This scope of activities foresees:

- Analyse changes in the quantity, prices and delivery time of procured pharmaceuticals, medical supplies and equipment within the state programmes implemented by UNDP for the implementation period of the 2015 to 2018 state budget years.
- Provide baselines for the procurement of medical supplies and equipment for the selected programmes.
- Compare the cost of UNDP procurement of medicines and medical equipment with the same items procured by state or nonstate agents.
- Compare total budgetary expenses (unit costs, logistics, administrative, currency gain/loss, VAT and other costs of UNDP) under the 2015-2018 procurement cycle with the same package of goods of the Ministry of Health, considering the exchange rate fluctuations of the reference period.
- Determine whether there were significant changes in nomenclature of the pharmaceuticals, medical supplies and equipment planned for procurement that could have been related to the partial shift of the procurement function to the international organizations.

- Analyse for potential strengths and weaknesses the two separate scenarios where tenders are conducted by the MoH and by UNDP:
  - contract implementation controlling process,
  - o marketing and procurement notices dissemination potential,
  - o registration of new items,
  - savings and benefits,
  - o reference prices,
  - o reaction on the critique.
- Conduct interviews/meetings with key partners for validating the information and data, specifying the procedures, obstacles and decision made the influenced the efficiency of the costs.

# 3. EVALUATION APPROACH AND METHODOLOGY

# 3.1. Methodology

The scope of the evaluation will cover all activities undertaken in the framework of the Procurement Support Services to the MOH project as well as some elements of other UNDP's health interventions. The project's effectiveness and initial impact should receive special attention. Given the forward-looking nature of the evaluation, the Evaluator will: a) compare planned outputs of the individual projects to actual outputs and assess the actual results to determine their contribution to the attainment of the project's objectives, as well as b) provide clear recommendations for the follow-up phase of the project and the Health Programme in general, based on identified lessons learned in key areas. These findings will serve to inform the development of the follow-up phase of the MoH PSS Project and consolidate the UNDP Health Programme in general.

The evaluation will need to use mixed methods and tools to ensure that data gathering and analysis deliver evidence-based qualitative and quantitative information, based on diverse sources: desk studies and literature review, cost-benefit analysis, individual interviews, surveys and direct observation. This approach will not only enable the evaluation to assess causality through quantitative means but also to provide reasons for why certain results were achieved or not and to triangulate information for higher reliability of findings. The concrete mixed methodological approach will be detailed in the inception report and stated in the final report. All data provided in the report should be disaggregated by gender and vulnerability.

The evaluation is expected to follow a participatory and consultative approach ensuring close engagement with the project, government counterparts, international partner organisations, UNICEF, WHO, UNDP Country Office (CO) and projects team at all stages of the evaluation planning and implementation. The evaluation will assess the extent to which the projects were successfully mainstreamed with UNDP strategic priorities, including eradicating poverty, accelerating structural transformations for sustainable development a building resilience to crises and shocks.

The evaluation of the project's performance will be carried out against the expectations set out in the cost-sharing agreements, project Logical Framework/Results Frameworks, relevant legislation on procurement which provides performance and impact indicators for project implementation along with their corresponding means of verification. New set of indicators (with baselines) for a new wave of funding should be proposed. The evaluation will assess the key financial aspects of the projects.

The evaluation should provide a proposed design, methodology of evaluation (methods, approaches to be used, evaluation criterion for assessment to be proposed), detailed work plan and report structure to UNDP prior to the start of fieldwork; these documents and the list of organizations and other stakeholders to visit should be agreed with UNDP. While proposing the methodology, the Consultant should be guided by UNDP approach to programme/project evaluations<sup>2</sup>.

The evaluator is expected to develop and present detailed statement of evaluations methods/approaches in the inception report to show how each objective and evaluation criterion will be assessed.

 $<sup>^2\,</sup>http://web.undp.org/evaluation/handbook/documents/english/pme-handbook.pdf$ 

The methodology will be based on the following:

- 1. Desk review of the documents listed below (but not limited to):
  - a) The original project documents, databases monitoring reports, action plans, M&E frameworks, assessments, and financial documents (such as the cost-sharing agreement with MoH);
  - b) Notes from meetings involved in the projects (such as board meeting minutes);
  - c) Other project-related material produced by the projects (such as datasets, publications, audiovisual materials and consultancies reports).
- 2. Cost efficiency assessment of the procured medicine and medical products for at least 5 nosologies within 2015-2018 procurement cycle. The selection of programmes will be undertaken jointly with the project team and will be based on the priorities of the EU-Ukraine Association Agreement (Charter 22 Public Health).
- 3. Interviews with the relevant UNDP Country Office and the Project's management and staff, MoH and the various national and sub-regional authorities dealing with the Project activities as necessary, to provide in-depth briefing on the interventions, its results, context of partnerships with different stakeholders etc. as well as vision for future.
- 4. Interviews and/or focus groups discussions with partners and beneficiaries. Partners and beneficiaries can be divided into three distinct groups:
  - a) Patient organizations and other civil society organizations and associations;
  - b) Government institutions (including but not limited to MoH, logistics' state entities, State expert centre, others);
  - c) International development actors active in the field of intervention (EU, USAID, UNICEF, WHO etc).

Debriefing session with UNDP's stakeholders will be arranged for discussing the evaluation findings, results and recommendations.

#### 3.2 Deliverables

The company should provide the following deliverables:

Deliverable #	Task description	Timeframe
Deliverable #1	Develop draft evaluation methodology to conduct the Forward-Looking Evaluation, propose a draft structure of the final evaluation report; prepare preliminary interview plans. Submitt all the required documents to UNDP.  Output: Draft inception report in English (with draft description of the evaluation methodology); draft structure of the final evaluation report; preliminary interview plans are developed and submitted to UNDP.	Till 22/12/2019

Deliverable #2	Based on the developed methodology and data gathering tools, conduct the research of the available project documentation, consultations and interviews with the project staff and project partners. Examine how stakeholders assess the activities and what are their concerns and suggestions. Clarify issues that emerge from the preliminary analysis of the intervention and require hard and soft data to substantiate their reasoning. Discuss the existing needs in the field of the health sector development and how the follow-up phase of the project should address them. Collect and analyse feedback from the partners.  Initial findings discussed in a wrap-up session with the Project team and UNDP CO (can be done on-line via Skype conference).	Till 31/01/2020
Deliverable #3	Produce a draft report of the evaluation covering all items detailed in the paragraph #2 of the present TOR with definition of the lessons learned and recommendations for the future. The draft report should also contain detailed set of indicators (with baselines) for a possible new wave of funding.	Till 23/02/2020
	<b>Output</b> : draft report in English produced and submitted for UNDP comments ( <i>UNDP review will take up to 10 working days</i> ). Tables of baselines and tables of the unit costs of the same medicine products procured by state or nonstate agents submitted to UNDP.	
	Prepare a detailed PowerPoint presentation of the evaluation study (in English) and present the results during the meeting between UNDP, MoH and other key stakeholders (can be arranged also distantly via Skype depending on meeting arrangements.	Till 08/03/2020
Deliverable #4	Consultations regarding UNDP expectations from the presentation will be held with the Contractor prior to the event.	
	<b>Output:</b> PowerPoint presentation prepared and delivered during the joint meeting of interested parties (to cover major findings and lessons learned from the evaluation as defined in section 3 of this TOR with diagrams/pictures, where applicable).	
Deliverable #5	Collect, review and incorporate comments from UNDP, MoH and others into the final version of the evaluation report (in English, no more than 100 pages). Finalise Power Point	Till 15/03/2020

presentation to be distributed to general public (should be a stand-alone doc).	
<b>Output</b> : Final evaluation report containing all required annexes indicated in the paragraph #3 of the present TOR, submitted to UNDP, MoH for final review and validation.	

# Copyright

The title rights, copyrights and all other rights are regulated by Annex 4.

# 5. Proposed payment schedule

Payment Method: 30 days net

Payments will be made in 3 tranches according to the following payment schedule:

- First payment upon satisfactory submission and approval of Deliverable #1(25%);
- Second payment upon satisfactory submission and approval of Deliverables #2 and #3 (50%);
- Third payment upon satisfactory submission and approval of Deliverable #4 and #5 (25%).

# 6. Management Arrangements

The Company shall be responsible for managing the process of the work implementation, its resources, logistics and expenditures related to the tasks in timely and accurate manner.

### 7. Monitoring/Reporting requirements

The company will work under the overall guidance of the M&E and relevant Project team members, and direct supervision of the project coordinator.

The company has to consult with UNDP on all steps of the process and proceed to the next step only upon obtaining approval on the accomplished step.

The company should arrange its activities based on the principle of constructive co-operation. It is mandatory to take into account all proposals of UNDP CO M&E and project team.

The electronic version of final report should be prepared and submitted for clearance to UNDP not later than abovementioned fixed dates.

### **UNDP** requirements to analytical reports

The key product expected is a comprehensive evaluation report (no more than 60 pages without annexes, single spacing, Myriad Pro font, size 11), which includes, but is not limited to, the following components:

- Executive summary (up to 3 pages)
- Introduction
- Evaluation scope and objectives
- Evaluation approach and methods<sup>i</sup>

- Development context and project background
- Data analysis and key findings and conclusions
- Lessons learned and recommendations for future intervention (including viable ideas on work directions which could be sharpened and further enhanced in the next programme phase)
- Annexes: TOR, list of people interviewed, interview questions, documents reviewed, proposed new indicators, etc.

<u>The conclusions</u> related to the implementation of the Project should be comprehensive and balanced, and highlight the strengths, weaknesses, challenges and outcomes of each intervention. They should be well substantiated by the evidence and logically linked to the evaluation findings. They should respond to key evaluation questions and provide insights into the identification of and/or solutions to important problems or issues pertinent to Project beneficiaries, UNDP and the Government of Ukraine.

The recommendations for the follow-up phase of the MoH PSS Project and the Health Programme in general should identify how best practices and achievements of the Project can be scaled up or proliferated to increase the positive impact of the intervention on medical procurement in Ukraine and health reform, as well as adapt/strengthen the theory of change of the interventions, based on interviews with partners and beneficiaries and desk analysis. The recommendations need to be supported by an evidential basis, be credible, practical, action-oriented, and define who is responsible for the action - to have potential to be used in decision-making.

The annexes should be duly numbered; all tables and figures should contain references to sources and be numbered; there should be references to them in the text of the report. The report should contain a bibliography and list of Webresources, if relevant.

The final report should take into account the UNDP analytical standards and standards for writing reports. The report format (layout, text borders, format of charts and tables, format of titles, subtitles and main text, etc.) should provide for a convenient reading of the document and be in line with basic requirements to design (aesthetics) of such kind of documents.

The Report should be logical and understandable and have a limited number of specialized terms. It should also have a clear structure and be broken into sections (subsections).

The assessment shall be carried out objectively without consideration of interests of any parties. All points of view as regards the events and processes shall be provided and compared.

The Company shall provide the report in the electronic form (.doc format, initial materials and annexes .doc, \*.xls formats).

# **Experience and qualifications requirement**

The Company/Organization should propose a strong evaluation team who will comprise experts, national or international, with a solid M&E and economic background and respective practical experience of evaluating both development interventions and procurement projects. One of the team members will be assigned with the Team Leader responsibilities. Specifically, the following general requirements will apply:

- The Company/Organization should be multi-national entity officially registered;
- At lest ten years of international or national experience of carrying out project/programme evaluations, economic and cost-benefit assessments and similar.
- Proven experience of conducting studies in health economics, finance or other relevant fields would be a strong asset;
- Previous experience of work in the region, particularly on the issues of health reform, medicine procurement and similar would be a strong asset.
- Experience of working with international organizations and UN agencies in health area would be a strong asset.

# 8.2 Requirements for the Company Team members:

### **Evaluation Team Leader:**

- At least Bachelor/Master's degree or equivalent in Health Economics, Public Health, Data analysis, or other relevant area;
- At least five years of professional experience in programme/project evaluations, economic research, and analysis;
- At least three years of professional experience leading a team or managing different studies and projects;
- Fluency in English;
- Knowledge of Ukrainian and Russian would be an advantage;

### **Evaluation Analyst:**

- Bachelor/Master's or equivalent degree in Health Economics, Public Health, Data analysis, or other relevant area;
- At least five years of professional experience with data collection, financial analysis;
- Good knowledge of English;
- Fluency in Ukrainian and Russian.

The Company/Organization may include additional team members with relevant qualifications as it finds appropriate to implement the assignment.

<sup>1</sup>The Projects should be evaluated in accordance with UNDP Evaluation Policy.