

## **TERMS OF REFERENCE FOR CONTRACTING A REGIONAL COORDINATOR FOR THE EU-ACT PROYECT TO BE BASED IN GEORGIA**

### **1. BACKGROUND**

FIIAPP F.S.P. is a foundation of the State public sector whose activities, characterised by the absence of profit and the pursuit of the general interest, is framed in the field of international cooperation aimed at the institutional modernisation, for the reform of Public Administrations and the attainment of democratic governance.

### **2. OBJECT**

It is the object of the contract, to hire a Regional Coordinator for Caucasus for the EU-ACT Project to be based in Georgia for 16 months.

### **3. CONTRACTING AUTHORITY**

The contracting authority may be, in accordance with the bidding budget, for contracts of individualized amount over €100,000, the Director of the FIIAPP, F.S.P.

### **4. LEGAL SYSTEM AND COMPETENT JURISDICTION**

This current contract has a private character, the civil court order being competent to hear disputes arising in its implementation.

Nevertheless, this contract will be governed by the Title I of Book III of the Law 9/2017, of 8th November, on Contracts of the Public Sector (LCSP), by which is transposed to the Spanish juridical order the Directives of the European Parliament and of the Council 2014/23/UE and 2014/24/UE, of 26th of February of 2014, as an international foundation, due to its legal nature and due to the contracts that it enters into. Likewise, for the purposes of this law and pursuant to articles 3.1. e) and 3.3. b) thereof, as a foundation of the public sector, it holds the status of contracting authority.

Pursuant to Article 27.2 of the Law 9/2017, of 8th November, on Contracts of the Public Sector, by which is transposed to the Spanish juridical order the Directives of the European Parliament and of the Council 2014/23/UE and 2014/24/UE, of 26th of February of 2014, the civil courts shall have jurisdiction to resolve disputes arising between the parties regarding the effects, compliance and termination of private contracts. This court order shall also have jurisdiction to hear any disputes affecting the preparation and awarding of private contracts.

The present Terms of Reference has a contractual nature and contains the detailed conditions to which the performance of the contract shall be adjusted.

The ignorance of the present contract, the contract, its annexed documents or instructions or rules of any kind approved by the Administration that can be applied in the implementation of the agreement shall not relieve the contractor from the obligation of compliance.

## **5. PROCEDURE AND FORM OF AWARD OF THE CONTRACT**

For the award of these contracts, the FIIAPP F.S.P. will undertake a negotiated procedure in which at least three natural persons authorised for the purpose of the contract will be invited to submit a bid, to the extent possible.

## **6. CAPACITY TO CONTRACT**

They shall be eligible for the award of this contract natural persons, with Spanish or foreign nationality, who have the full capacity to act and who are not falling in the prohibitions to hire listed in paragraph 1 of article 71 of the LCSP. For this purpose, shall take into consideration the rules contained in chapter II of title II of book I of the LCSP.

## **7. BUDGET LINE**

The budget line for this contest is one hundred forty-four thousand six hundred fifty-six euros (€ 144.656 with no taxes included).

## **8. DESCRIPTION OF THE SERVICES TO BE DEVELOPED.**

The Expert will work as Regional Coordinator (RC) for Georgia and region within the already approved project funded by the European Commission “EU-ACT Action against Drugs and Organized Crime, Enhanced Co-operation and Capacity Building to address Drug-related Organised Crime along the Heroin Route” (IFS/2016/377-677).

The main tasks of the Expert will be:

- Support the implementation of the defined action plan and agreements with beneficiaries;
- Update the action plan, if needed;
- Appropriate management of the resources and the team in the hub country;
- Providing expertise in her/his area of competence;
- Coordinate, organise and supervise the work of the team of short-term experts recruited for individual activities/outputs of the workplan in the respective priority country / region;

- Draft weekly and monthly activity reports for FIIAPP F.S.P.;
- Any other task required by FIIAPP F.S.P.

## **9. CRITERIA FOR THE EVALUATION**

The requirements for the position are:

### Qualification and skills:

- Master University degree in Law/Police Academy/Political sciences and/or Psychology/Psychiatry/Medicine.
- Demonstrated skills in the drafting of technical reports, and good oral and written English language skills.
- Proven ability to work in an international and multi-cultural environment and ability to form and develop professional relationships with overseas partners;
- Proven experience of working independently, whilst still acting as part of overall strategic team;
- Ability and willingness to travel extensively in the project regions;
- IT literacy (MS Office);
- Proven organisational, communication, mobilisation and inter-personal skills;
- Strong report writing skills.

### Professional experience:

- At least ten (10) years of professional experience related to criminal justice matters, law enforcement co-operation and/or drug demand reduction experience.
- At least three (3) years of international field experience deployed in third countries - deployment in one or more of the beneficiary countries would be an asset;
- At least three (3) years of experience in advisory or technical assistance roles in any of the subject matters;
- At least three (3) years of experience delivering training courses

### Merits:

- Master diplomas/post university degrees in subjects related.
- Experience in providing psychological/psychiatric support to victims/ Drug addict

- Professional experience in gender policy and human rights related to drug trafficking, human trafficking and criminal networks would be an asset.
- Knowledge of Georgia and its institutions, legislation and administration and knowledge of EU issues

Knowledge of Georgian Language.

The evaluation of the proposals will be made according to the table below:

Masters' Diplomas/ Post university degrees in relevant areas.	5 points per masters' degree (Max = 10 points)
Professional action related to criminal justice matters, human rights, law enforcement co-operation drug trafficking and criminal networks.	(Min = 10 years) 10-15 years: 10 points > 15 years: 15 points (Max = 20 points)
Professional action in international work experience deployed in the third countries - deployment in one or more of the beneficiary countries. (Only deployments over 6 months will be considered).	(Min = 3 years) (Max = 20 points) 1 point per year of experience deployed 2 point per year of experience deployed, if the country is a beneficiary country
Professional action in advisory or technical assistance roles in the subject matter.	(Min = 3 years) 3-5: 5 points 5-10: 10 points > 10: 15 points
Professional action in delivering training in the subject matter.	3-5 years: 2 points > 5 years: 5 points
Professional action in providing psychological/psychiatric support to drug addicts/victims.	1-5 years: 2 points >5: 5 points
Professional action in gender policy and human rights related to drug trafficking, human trafficking and criminal networks.	1-5 years: 5 points >5: 10 points
Excellent knowledge of Georgia and its institutions, legislation and administration and knowledge of EU issues.	Qualified: 10 points
Knowledge of Georgian Language.	Qualified: 5 points

## **10. REGULATORY PROCEDURES**

The contract shall be governed by:

- The clauses contained in this specification.
- The Provisions of law 50/2002 of the Foundations and in the 1337-2005 RD of November 11st.
- The Provisions set forth in the Law 9/2017, of 8th November, on Contracts of the Public Sector, by which is transposed to the Spanish juridical order the Directives of the European Parliament and of the Council 2014/23/UE and 2014/24/UE, of 26th of February of 2014.

The ignorance of the contract in any of its terms, of the documents annexed to it, or instructions, specifications or standards of any kind dictated by the FIIAPP F.S.P. which may have application in the execution of the agreement, shall not relieve the employer from the obligation of compliance.

## **11. DURATION OF THE CONTRACT**

The contract will have a time of duration from its signature until the 31<sup>st</sup> of December of 2020.

## **12. PROPERTY OF THE WORK DEVELOPED.**

The work carried out in any of sections will become the property of FIIAPP F.S.P.

The successful tenderer may not use for themselves or provide to third parties any data of the contracted works, or publish, total or partially the contents without the written permission of the FIIAPP F.S.P. In any case the successful tenderer will be responsible for damages arising from the breach of this obligation.

## **13. RESOLUTION OF THE CONTRACT.**

The causes for termination of the contract are contained in article 211 of the Law 9/2017, of 8th November, on Contracts of the Public Sector, by which is transposed to the Spanish juridical order the Directives of the European Parliament and of the Council 2014/23/UE and 2014/24/UE, of 26th of February of 2014.

- a) Non-compliance by any of the parties of the obligations described in the contract.

- b) The manifest lack of quality of the service provided or not adapt it to the conditions agreed in binding documents
- c) The Declaration of insolvency in the terms that describes by the law 22/2003, of July 9<sup>th</sup>, bankruptcy.
- d) Mutual agreement of the parties.
- e) Breach of the limitations in the field of outsourcing.
- f) Obstruction of the faculties of management and inspection of FIIAPP F.S.P.

#### **14. REGIME OF PAYMENT**

The successful bidder is entitled to the payment of the agreed price, under the conditions laid down in the contract, corresponding to the work actually performed and formally received by the Foundation.

#### **15. AWARD TERM AND FORMALIZATION**

The contract will be awarded within a period of 15 working days from the receipt of applications.

The document of formalization of the contract shall be granted within a period of 15 working days from the award.

The successful bidder must provide, before the formalization of the contract, the founding deed power of attorney.

#### **16. START OF THE ACTIVITY**

The official starting date will be the following day to the contract formalization.

#### **17. SUBMISSION OF PROPOSALS**

Interested parties who meet the requirements defined in these terms of reference can be sent its proposal to the following e-mail address: **hiring@eu-act.info** indicating on the title in the "subject": "**Regional Coordinator Georgia**".

**Deadline for receipt of applications:** 12<sup>th</sup> August 2019 at 12.00h.