

**TERMS OF REFERENCE
EUROPEAN COMMISSION PROJECT IN MYANMAR:
“SUPPORT TO THE REFORM OF THE MYANMAR POLICE FORCE”**

**TERMS OF REFERENCE
Deputy team leader – institutional coordinator**

Type of Contract: Service contract

Duty Station: Yangon, Myanmar (with eventual travel to some districts if necessary).

Indicative Starting Date: August 2019

Duration of Assignment: Until the end of the project implementation due on December 2021.

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.

In line with its mission, the Foundation has been awarded the Delegation Agreement “Support to the reform of the Myanmar police force” (MYPOL project) funded by the European Union from December 2016 to November 2021.

The MYPOL project works to assist the Myanmar Police Force (MPF) in becoming a modern police agency centred on international best practices and respect for human rights. The project seeks to achieve a more preventive, service-oriented, balanced and professional approach to policing, as well as to improve the accountability of the MPF and the relationship between police and civil society and media.

All actions are aimed at reaching an effective, efficient and accountable police service that is trusted by Myanmar’s different communities. These changes mean new ways of thinking at all levels, including the way in which the police operates and builds relationships and trust.

The project focuses on four key objectives:

- 1- Institutional capacity: MYPOL assists in modernizing procedures, training curricula and human resource management in line with international best practices.

- 2- Service-orientation: MYPOL provides capacity development in order to strengthen service-orientation of the police, particularly in the area of community policing, crowd management and criminal investigation.
- 3- Accountability: MYPOL supports the improvement of police accountability through advisory in modern legal frameworks for security sector governance, capacity building of the Parliament, and the promotion of better collaboration and relationships between the MPF, Myanmar's Civil Society and the media.
- 4- Efficient structure: MYPOL works to assure that an efficient structure is in place including effective management, coordination and monitoring of activities

Besides that, gender is an important cross-cutting issue of the project and it is considered as an essential factor for modern policing in conformity with international best practices. According to the Description of the Action, MYPOL gender approach has to be in line with the Myanmar's National Strategic Plan for the advancement of women 2013-2022.

2. OBJECT

It is the object of the contract, the project is seeking a Deputy Team Leader who can work as an institutional coordinator leading and supporting the MYPOL team. With the team leader, he/she shall oversee and coordinate the overall project implementation, ensuring it is delivered according to the established work plans in time (effectively prepared yearly), in accordance with the budget and with a high level quality and effectiveness.

3. CONTRACTING AUTHORITY

The contracting authority may be, in accordance with the bidding budget, for contracts of individualized amount of up 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 ~~either natural or legal~~ 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 345.000 € (three hundred forty-five thousand Euros with no taxes included).

8. DESCRIPTION OF THE SERVICES TO BE DEVELOPED.

The Team Leader will guide the MYPOL project and will develop the following functions:

- Programme design and coordination, Terms of Reference, definition and execution of all activities, together with the Team Leader and the FIIAPP Project Manager
- Managing the implementation procedures for an EU grant/delegation agreement, together with the Team Leader and the FIIAPP Project Manager.
- Supporting the preparation and launching of tenders and service contracts, procurement or experts linked to the project, together with the Team Leader and the FIIAPP Project Manager.
- Monitoring and supervising contract compliance, review suppliers' technical and financial deliverables, together with the Team Leader and the FIIAPP Project Manager.
- Reviewing the level of budget execution, together with the Team Leader and the FIIAPP Project Manager.
- Supporting, together with the Team Leader and the FIIAPP Project Manager, the logistical and administrative arrangements for the long and short term.
- Compiling and analyzing information from all institutions and individual experts involved in the project in all components, together with the Team Leader and the FIIAPP Project Manager.
- Attending to coordination and monitoring activities in the field and, eventually, in other countries, together with the Team Leader and the FIIAPP Project Manager.
- Developing the project communication material, together with the Team Leader and the FIIAPP Project Manager.
- Supporting the preparation of technical reports for project monitoring and supervising the preparation and presentation of financial reports, together with the Team Leader and the FIIAPP Project Manager.
- Maintaining, together with the Team Leader and the Project, Manager, dialogue with the different regional institutions, Spanish, EU (especially with the EU Delegations and the FIIAPP Office in Brussels) and other nationalities involved in the project.
- In general, representing the interests of the FIIAPP in situ.

9. CRITERIA FOR THE EVALUATION

a. Requirements

- University degree in Human Rights, Law, Social Sciences, International relations, International Cooperation for Development or related issues.
- Minimum 10 years of professional experience in technical and/or logistical management of cooperation projects
- Minimum 5 years of managing multiple teams with different cultural backgrounds.
- Minimum 5 years of experience as a police officer or at least 5 years of experience in the field of security issues from a human rights approach.
- Proven ability to communicate with a wide range of people; different government stakeholders, civil society and the international community.
- Excellent command of spoken and written English.
- Proven experience in developing countries.

b. Merits

- Postgraduate degree in related issues.
- Relevant additional studies, specific trainings on human rights and/or international cooperation.
- Additional years of professional experience in the technical management of international cooperation projects.
- Proven activities with internal police reform, security legal framework, community policing, crowd management and/or criminal investigation.
- Activities developed in managing the project cycle, including project planning and reporting.
- Activities developed working with national/international NGOs/UE/UN bodies/ Government.
- Previous works in EU-funded projects focused on security, or any other international donor.
- Actions performed in multicultural environments in Southeast Asia.
- Knowledge of gender issues in the context of democratization and security.

c. Evaluation criteria

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

TECHNICAL ASPECTS		100
Criteria	Evaluation Method	Maximum Score
Professional Qualifications	Upgrade on the requirements contained on Section 8 of the Technical Conditions	100
	Postgraduate degree in in Human Rights, Law, Social Sciences, International relations, International Cooperation for Development or related issues.	5
	Relevant additional studies, training or certification on human rights and/or international cooperation.	5
	Additional years of professional experience in the technical management of international cooperation projects.	20
	Proven activities with internal police reform, security legal framework, community policing, crowd management and/or criminal investigation.	15
	Activities developed in managing the project cycle, including project planning and reporting.	20
	Activities developed working with national/international NGOs/UE/UN bodies/ Government.	10
	Previous works in EU-funded projects focused on security, or any other international donor	10
	Actions performed in multicultural environments in Southeast Asia.	10
	Knowledge of gender issues in the context of democratization and security	5

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 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 end of the project implementation due on 30 November 2021.

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 9th, 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: maria.ayllon@fiiapp.es and mariajose.urgel@fiiapp.es indicating on the title in the "subject": "**Deputy team leader – institutional coordinator**".

Deadline for receipt of applications: 29th July, 2019 at 10.00h (Madrid time)

Annex 1: Requirements and Merits

Requirements

Requirements	Yes/No	Description
University degree in Human Rights, Law, Social Sciences, International relations, International Cooperation for Development or related issues.		
Minimum 10 years of professional experience in technical and/or logistical management of cooperation projects		
Minimum 5 years of managing multiple teams with different cultural backgrounds.		
Minimum 5 years of experience as a police officer or at least 5 years of experience in the field of security issues from a human rights approach		
Proven ability to communicate with a wide range of people; different government stakeholders, civil society and the international community.		
Excellent command of spoken and written English.		
Proven experience in developing countries.		

Merits

Merits	Criteria	Description	Max. Score	Score
Professional Qualifications				
Postgraduate degree in Human Rights, Law, Social Sciences, International relations, International Cooperation for Development or related issues.	Certificate degree: 5 points		5	
Relevant additional studies, training or certification on human rights and/or international cooperation.	Course >180h: 2 points Course 50h-180h: 1 point Course <50h: 0,5 points		5	

Additional years of professional experience in the technical management of international cooperation projects.	10 p: 10- 15 years 20 p: >15 years		20	
Proven activities with internal police reform, security legal framework, community policing, crowd management and/or criminal investigation.	1 point per year performed		15	
Activities developed in managing the project cycle, including project planning and reporting.	1 point per year performed with EU-funded project 0,5 points per year performed with other donors funded project		20	
Activities developed working with national/international NGOs/ UE/ UN bodies/ Government.	1 point per year performed		10	
Previous works in EU-funded projects focused on security, or any other international donor.	1 point per year performed with EU-funded project 0,5 points per year performed with other donors funded project		10	
Actions performed in multicultural environments in Southeast Asia	0,5 points per activity performed longer than 5 months		10	
Knowledge of gender issues in the context of democratization and security	0,5 points per activity performed.		5	