

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

TERMS OF REFERENCE

Consultancy to Develop a Monitoring and Evaluation Framework

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.

According to 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 three 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 transform the MPF in a more service-orientated agency 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.

2. OBJECT

The MYPOL Reform Project commenced the Inception Phase in December 2016 with full-fledged implementation phase to be started in June 2017. For the same, a thorough review of the logical framework, approach and methodology has been deemed necessary.

With the project being based on a reform and capacity development approach, involving different components and various stakeholders, and with different level of outputs proposed, it is important to have a well thought and inclusive Theory of Change developed. The complexity of multi stakeholder engagement across various level of outputs and activities requires an effective Monitoring and Evaluation Framework to be built, which not only provides indicators and processes for measuring achievements, but also captures and incorporates feedback on capacity development and reform process that happens during the course of project implementation.

In this sense, the object of these Terms of Reference is contracting services for the design of the Monitoring, Evaluation, Accountability and Learning (MEAL) Framework for the MYPOL Project that allows proper monitoring, evaluation and quality control of the project implementation against expected results, as well as fosters strategic planning, accountability and learning processes.

3. CONTRACTING AUTHORITY

The contracting authority may be, in accordance with the bidding budget, for contracts of individualized amount of up to €100,000, the Secretary-General of the FIIAPP, F.S.P.

4. LEGAL SYSTEM AND COMPETENT JURISDICTION

This 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 companies 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 40.000 Euros (with no taxes included).

This figure represents the maximum budget, which will determine the exclusion of any bid for a higher amount.

8. DESCRIPTION OF THE SERVICES TO BE DEVELOPED.

In order to track and report on progress on the project's outputs and outcomes and promote accountability and learning within the MYPOL project, a comprehensive Monitoring, Evaluation, Accountability and Learning (MEAL) framework and implementation plan should be developed.

This framework should facilitate the monitoring and measurement of progress of the log-frame indicators through practical tools and processes for data collection and analysis in all project components. At the outcome level, performance and results indicators will allow for global level aggregation of the results and desired impact of the MYPOL project. This will enable the MYPOL project to track and report on progress and provide information, which can be used for communications, accountability and feedback purposes.

The emphasis should be put on the monitoring and evaluation of implementation processes, progress and overall programme reach, and intended and unintended effects on target groups and end users, including the results in building capacity and influencing policy and legal framework changes.

The MEAL framework should have a learning component, which will enable good practices and lessons learned from implementation to be captured and shared.

Guidance should be provided to the MYPOL team through this consultancy on monitoring, evaluation and learning processes. Thus, a training module and guidelines need to be developed by the service provider.

In terms of methodologic approach, the MEAL framework and tools should guarantee a participatory implementation and mainstreaming of cross-cutting issues, in particular gender and human rights. Although the project's logical framework and established indicators lay the foundation of the M&E work, the overall framework should be based on a more flexible Theory of Change that allows for identifying results chains and necessary pre-conditions and assumptions for achieving desired medium and long-term impacts.

The Service Provider is expected to carry out and deliver on the following tasks:

1. Review project documents, including the logical framework, available baseline data, indicators and targets, as well as the multi-year work programme and existing monitoring tools;
2. Design a comprehensive MEAL framework and road map for implementation:
 - The framework should outline the project's Theory of Change (ToC), establish an output and outcome-mapping approach with clear definitions, milestones, data collection strategies and corresponding tools, as well as frequency of collection;

- A detailed implementation plan and necessary qualitative and quantitative tools should also be developed, including methodologies for measurement, tasks and responsibilities for the MYPOL team.
 - Systematic disaggregation of data including by sex, geographical location, levels of target groups within the Myanmar Police Force, will be important throughout. Views from target groups and intended beneficiaries should be sought and fed into through feedback and evaluation mechanisms.
 - The framework should take into consideration existing data available and ensure new data collection proposed is complementary to existing systems and data made available by national stakeholders as far as possible.
 - Guidance should be also provided to organise the baseline data collection to ensure annual measurement and evaluation.
 - Evaluation methods to test and explore impacts should be specified in the framework, ensuring evaluative data that robust evidence is gathered about how, where and why (or why not) the project is effective in terms of results achieved. Knowledge, Attitude and Practice (KAP) changes are important to capture.
3. Elaborate guidelines for the implementation of the MEAL system to guarantee effective information and knowledge management, monitoring and reporting;
 4. Elaborate and conduct a training module to mainstream MEAL across the MYPOL project.

The specific deliverables/outputs of this consultancy are:

1. Comprehensive MEAL framework document and detailed implementation plan for monitoring and evaluation activities;
2. Set of qualitative and quantitative data collection tools with emphasis on existing information gaps and relevant dimensions of change to be measured;
3. Guidelines on the roll-out of the comprehensive M&E;
4. Training module;

The service provider should submit a detailed methodological approach and work plan for the consultancy within 10 days of signing the contract, and provide a final consultancy report at the end of the assignment, presenting findings gathered during the framework development and recommendations.

The service provider will be responsible for arranging their own logistics, including transportation and accommodation for the field mission to Myanmar. All relevant expenses will be covered by the contract budget. FIIAPP will compile background documents and data collected, and facilitate activities and meetings planned for the development of the assignment.

9. CRITERIA FOR THE EVALUATION

a. Requirements

The outlined tasks require the following expertise, skills and competences of a consultant team of at least two members:

- Minimum one consultant with a Master Degree in Monitoring and Evaluation or related fields;
- Demonstrable experience of at least 10 years in developing MEAL frameworks for complex and large-scale development projects managed in consortium and with a large number of stakeholders involved;
- Proven experience in Theory of Change, outcome-mapping, logical framework and results-based management methodologies for strategic planning and M&E, including design of quantitative, qualitative and participatory tools;
- Recognized expertise in integrating gender and human rights approaches in M&E;
- Knowledge and experience in fields relevant to the project: security sector, security sector governance, parliament and accountability.
- Strong verbal and written communication skills in English.

The following characteristics will be considered as **additional assets**:

- Similar and previous assignments for the development of knowledge and learning mechanisms within M&E activities, including the use of approaches for feedback and accountability towards target groups and relevant stakeholders;
- Strong track record of innovative leadership in management and development of external evaluations of donor funded projects;
- Previous assignments with EU-funded projects, with emphasis in procedures and tools for planning, monitoring and evaluation;
- Previous assignments in Southeast Asia in related fields and/or project evaluations.
- Expertise in analysing data using IT/statistical tools and/or M&E programmes/software;

b. Evaluation criteria

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

FINANCIAL		
Criteria	Evaluation Method	Maximum Points
Financial proposal	Competitive fee rates and expenses in relation to the market price and demonstration of Value for Money	20
THÉCNICAL ASPECTS		
Criteria	Evaluation Method	Maximum Points
Professional Qualifications	Upgrade on the requirements contained in Section 9 according to profiles (CVs) of the consultant team and list of similar assignments	45
	1- Similar and previous assignments in knowledge and learning mechanisms within M&E activities, including the use of approaches for feedback and accountability towards target groups and relevant stakeholders	2 points per assignment carried out with focus on the mentioned methodologies/approaches Max. 10
	2- Strong track record of innovative leadership in management and development of external evaluations of donor funded projects	2 points per external evaluation carried out Max. 10
	3- Previous assignments within EU-funded projects, with emphasis in procedures and tools for planning, monitoring and evaluation	2 points per assignment for EU-funded projects and/or 0.50 points per month of actions in EU-funded projects Max. 10
	4- Previous assignments in Southeast Asia in related fields and/or project evaluations	2 points per assignment carried out and/or 0.50 points per month of actions in the region Max. 10
	5- Expertise in analysing data using IT/statistical tools and/or M&E programmes/software	2 points per assignment carried out using IT tools and M&E programmes Max. 5
Technical Quality of the Proposal	Clarity and quality of the proposed methodology and adequacy of the suggested work plan in relation to the objectives and requirements of the assignment	35
	3 – Coherence and quality of the proposed methodology	10
	• Adequacy of the theoretical-methodological approach in relation to the nature and objectives of the assignment	5
	• Validity of the techniques and the proposed mechanisms for the development of a	5

	comprehensive MEAL framework	
	2 – Incorporation of mainstream approaches	10
	• Theory of Change methodology	5
	• Gender and human rights-based approach	5
	3 – Organization of the work	5
	• Adjustment of the proposed calendar to the envisaged activities	2.5
	• Elements for an added-value in relation to the offer, as for example, the incorporation of internal systems of quality control.	2.5

The evaluation of the proposals will be made according to the economic and technical offer. The technical evaluation is divided into two parts: the consultants' profiles and the technical proposal.

For the valuation technique, the maximum score will be awarded, for each of the criteria, to the best offer in this regard. The rest of suppliers will be a proportional score to the best.

To apply the economic valuation the assessment of the total budget of each company will be done.

The formula used will be the following:

1.
 - a. Best financial bid: Maximum points (20 points)
 - b. All other bids:

$$\frac{\text{Application base}}{\text{Maximum points}} \times (\text{Bid under evaluation} / \text{best bid})$$
2. Application of the criterion of proportionality.

$$\frac{\text{Financial evaluation}}{\text{Maximum points}} \times (\text{Maximum points} / \text{Application base})$$

For the technical weighting, the maximum points will be given to the best bid in this aspect, for each one of the criteria. All other tenderers will be scored in proportion to the best.

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 delivery of all products requested for the above-mentioned services. It is anticipated that the assignment should not exceed a total of six to eight weeks and must be completed not later than 30th October 2018.

12.SUBCONTRACTING

The successful bidder will be liable before the FIIAPP F.S.P. for the performance of the natural or legal persons that are subcontracted, at all levels, including the quality of the service, delivery times and completion, obligations in relation to the treatment of data and information, as well as the fulfilment by the outsourced company of their social and fiscal obligations.

Those activities subject to this agreement that need to be subcontracted by the successful tenderer shall be executed under the terms provided for in the Articles 215 and 216 of the LCSP.

13.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.

14. 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.

15. 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 satisfactory delivery of expected outputs upon receipt of a letter-headed invoice in accordance with FIIAPP F.S.P payment policies.

Payments will be made as follows:

- a. 20% on completion and submission of the **detailed work plan**, including methodology and realistic timelines for the different phases of the assignment.
- b. 50% on completion and acceptance of the **comprehensive MEAL framework, corresponding tools** and the **implementation guideline/plan**.
- c. 30% on completion of the **training module** and submission of the **final report** with recommendations.

Deliverables will be reviewed and certified as satisfactory by the MYPOL Project Management Unit.

16. AWARD TERM AND FORMALIZATION

The contract will be awarded within a period of 7 working days from the receipt of applications.

The document of formalization of the contract shall be granted within a period of 7 working days from the award.

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

17. START OF THE SERVICES

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

18. SUBMISSION OF PROPOSALS

To respond to this ToR, the interested parties who meet the above-outlined requirements should submit:

- A sample of previous work, relevant to this consultancy;
- A technical proposal, including methodology and operational work plan proposing how the work will be done and how objectives of the assignment will be met (max. 8 pages). This will be subject to adjustments and review after the contract signing.
- CVs of the proposed consultants indicating relevant work experience and qualifications, including a list of similar assignments carried out by the consultants and/or the consulting firm.
- An all inclusive financial proposal for the work, detailing daily rates and all costs related to the work.

The proposal should be sent to the following e-mail addresses: analetilic-fiiapp@mypol.eu; mayllon@fiiapp.es and amartinez@mypol.eu indicating on the title in the "subject": "MYPOL M&E Framework Design".

Deadline for receipt of applications: 6th August 2018 at 18.00h (Madrid time).