

**TERMS OF REFERENCE FOR AN ASSISTANT TO RENDER SERVICES AS A  
AN ADMINISTRATION OFFICER IN ABUJA (NIGERIA) FOR THE  
PROJECT:  
*“Action Against Trafficking in Persons and Smuggling of Migrants in Nigeria”***

**Administration and Finance Officer**

**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.

That, in order to its foundational purposes, by Delegation Agreement FED/2017/387-999, FIIAPP is implementing the European Union’s External Action **Action Against Trafficking in Persons and Smuggling of Migrants in Nigeria** (The Action).

Within the framework of The Action, FIIAPP is in the process of tendering local support expertise services for the Action in Abuja which will be the base of operations in Nigeria.

**2. OBJECT**

It is the object of this invitation to hire the services of an assistant to cover the position of Project Logistic Officer and Driver for The Action with an expected end date of June 04 2022, reserving possible extensions.

**3. CONTRACTING AUTHORITY**

The contracting authority may be, in accordance with the bidding budget, for contracts of individualized amount up to €100,000, the Secretary-General 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 an “open simplified procedure”.

## **6. PRESENTATION OF PROPOSALS**

In order to participate in this tender, the bidder must submit, at the Registry of the FIIAPP F.S.P., located at C/Beatriz de Bobadilla 18-4<sup>o</sup>, Madrid, before 12:00 p.m. on **19th of November 2018**, the bid that they propose, in one sealed envelope. The envelope will be sent to Legal Advice and must indicate, on the outside of each one, the tender procedure and reference number for which the bid is being submitted, the signature of the proposing party, the name of the person, the full name and capacity of the person signing the proposal and the information of the contact person, all of which must be written legibly.

## **7. FORM AND CONTENT OF THE PROPOSAL**

The proposal must contain the following documentation:

### **A. Identify document**

**B. Declaration responsible** for having full capacity to act and not to be incurs in the prohibitions of hiring provided for in article 71 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, **(Appendix II)**.

**C.** Document/s that prove he/she is a self-employed in his/her country

**D. Tax Residency Certificate**

**E. CV** of the interested party

**FIIAPP F.S.P. will not accept any proposal where the received envelopes arrive manipulated (not closed, open, torn...).**

**All documents that may be submitted must be originals or certified photocopies.**

**If the documentation is notarial, it must comply with the requisites regarding authentication set forth in the Law and in Notarial Regulations.**

**For this tender process, documents stamped by the Foundation at the Registry may also be validated as true copies of originals.**

## **8.CERTIFICATION AND QUALIFICATION OF DOCUMENTS**

Once the envelopes have been received by the Secretary of the Contract Award Committee, the Contract Award Committee will meet to previously qualify the documents submitted in the proper time and manner.

If the committee observes defects or omissions in the submitted documentation that can be corrected, it will inform the interested parties verbally and in writing, thereby granting a period of no more than three business days so that tenderers can correct or amend such defects or omissions, thereby cautioning them that the tenderer will be definitively excluded if they do not proceed to correct the documentation within the granted period.

In this event, the interested parties that are required to correct defects must send in the requested documentation by presenting it, without exception, at the Registry.

Subsequently, the Contract Award Committee will meet again to adopt the appropriate resolution about definitive admission of the tenderers in view of the

received corrections.

## **9. CONTRACT AWARD COMMITTEE.**

The composition of the Contract Award Committee will be the following:

Chairman:

Economic Management: Gemma Cosido

Members:

1. Legal officer advisor. Sonsoles de Toledo
2. Finance Project officer: Carolina Morales
3. Project officer: Patricia Mate

Secretary:

Direction of Justice and Security: Mariano Guillen-Oquendo

## **10. RESPONSIBLE OF THE CONTRACT**

The contracting authority designates Gema Villegas as responsible for the contract to be supervised by its execution and to take the decisions and dictate the necessary instructions in order to ensure the proper performance of the agreed benefit, within the scope of faculties that those attributed.

## **11. CAPACITY TO CONTRACT**

They shall be eligible for the award of this contract all 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.

## **12. BUDGET LINE**

The budget line for this contest is 45.600 € for 48 months. 950 euros (no taxes included) once a month.

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

Under the direct supervision of the FIIAPP's Project Management Team (the Financial Administrator and the Project Manager, at Head Quarters in Madrid, and the Team Leader and Institutional Coordinator in Nigeria), the PAFO will

focus on the delivery of different tasks related to Administration, Accounting and Finance support by administering the day-to-day operations of the project office and being responsible for the reporting of project financing. He/She will develop the following tasks:

### **Administration & Records:**

- Set up and maintain all files and records of the project in both electronic and hard copies
- Arrange Project meetings in coordination with the project managers Nigeria and draft minutes of meetings.
- Establish document control procedures
- Provide support in organizing training events, workshops, and seminars
- Draft necessary correspondence with local and international agencies and stakeholders
- Prepare and update inventories of expendable and non-expendable project materials & equipment, in coordination with the Project Logistic Officer
- Assist in administrative, accounting and finance tasks necessary for an efficient and effective management of the project in compliance with the EU/FIIAPP policies, criteria and established procedures;

### **Financials**

- Support the financial accountability and reporting of the project, in fulfilment with the Delegation Agreement's execution procedures.
- Ensure daily communication with the Financial Administrator with regards to all financial aspects of the project.
- Together with the Project Manager and the Financial Administrator in Madrid:
  - Support the financial control of the expenses and invoices of the project.
  - Support the preparation of forecasts and control of billing.
  - Support the accountability of expenses paid locally.
  - Support the preparation of necessary documentation for financial audits, and the preparation and presentation of project financial reports, along with supporting documentation, in accordance with FIIAPP and EU models and procedures.
- Compile, control and maintain registers of invoices and supporting documents for expenses incurred in Nigeria Office in accordance with the procedures defined by the FIIAPP.
- Monitor eligibility of imputable invoices in accordance with FIIAPP and EU procedures and national legislation related to billing and taxation.
- Prepare payrolls/fee-based invoices and per diem invoices, as well as supporting documents.

- Ensure, in coordination with the Project Logistic Officer, the maintenance of local suppliers' database.
- Review the billing, cash and accounting of the project office in Abuja.
- Support the control of the local bank account of the project.
- Comply and verify budget and accounting data by researching files, calculating costs, and estimating anticipated expenditures from readily available information sources.
- Prepare periodic accounting records by recording receipts and disbursements (ledgers, cash books, vouchers, etc.) and reconciling data for recurring or financial special reports and assist in preparation of annual procurement plan
- Any other necessary tasks related to the project and its execution requested by the project management team.

#### Requirements:

- University degree in Administration, Finance, Economics, Business Management, Accounting, Executive Secretariat or related fields.
- At least 3 years of actions/activities performed in financial administration/management in large international NGOs, international agencies or public bodies;
- At least 2 years of actions performed in financial accountability for donor-funded projects, with preference EU funding.
- Excellent command of spoken and written English level (Level C1)
- Native or Excellent Knowledge of two Nigerian local languages
- Advanced Computer Literacy (Microsoft Office package) is compulsory.

This expertise is compulsory. Additionally, profiles that go over the demanded expertise will be proportionally valued.

## **14. CRITERIA FOR THE EVALUATION**

The proposals have to include a CV in English (plus the tables of Annex 1).

Expertise indicated in the table will be valued with the CV's information. Supporting documentation is required to prove experience and education level (scanned copy of titles, certificates, recommendation letters, etc.)

The score will be given according to the table's criteria:

<b>THÉCNICAL ASPECTS</b>		<b>100</b>
<b>Criteria</b>	<b>Evaluation Method</b>	<b>Maximum Score</b>
<b>Professional Qualifications</b>	<b>Upgrade on the requirements contained on Section 13 of this Terms of Reference</b>	<b>100</b>
	More than 3 years of actions performed in financial administration/management and accounting for NGOs and international agencies 10 p: 3-5 years 20p: 5-8 years 50 p: >8 years	60
	More than 2 years of actions performed in large grant management and/or EU contract management procedures and models 15 p: 2-6 years 40 p: >7 years	40

## **15. 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.

## **16. DURATION OF THE CONTRACT**

The contract will have a time of duration from its signature until the end of the project implementation (4 June 2022) with possible extensions.

## **17. 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.

## **18. 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.

## **19. 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.

## **21. 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.

## **22. START OF THE ACTIVITY**

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

## **23. OPENING OF THE PROPOSALS**

The envelope with the proposal will be opened by the Contract Award Committee in a non-public session on the 29<sup>of</sup> November at 12:00 p.m. at the headquarters of FIIAPP F.S.P.

## APPENDIX I: Requirements and Merits

### Requirements

Requirements	Yes/No	Description
University degree in Economics, Business and Administration, or related issues		
At least 3 years of actions performed in financial administration/management in large international non-governmental organisations or international agencies		
At least 2 years of specific actions performed in financial accountability for donor-funded projects, with preference EU funding		
Certificate or proven experience in working in English (Level C1)		
At least one year proven experience in working in two different regions in Nigeria		
Office Program certificate (Word, Excel, PowerPoint) or proven experience in working with Office Program.		

### Merits

MERITS. Technical aspects				
Merit	Criteria	Description	Max score	Score
More than 4 years of actions performed in financial administration/management and accounting for NGOs and international agencies	10 p: 4-5 years 20p: 5-8 years 50 p: >8 years		60	
More than 3 years of actions performed in large grant management and/or EU contract management procedures and models	15 p: 3-6 years 40 p: >7 years		40	

## APPENDIX II

### STATEMENT OF COMPLIANCE

Mr/Ms ....., holder of D.N.I. ...., acting in representation of ....., holder of C.I.F. .... and with its registered address at ....., in their capacity as ..... and interested in the contract award procedure called by the International and Ibero-American Foundation for Administration and Public Policies,

Hereby makes this **STATEMENT OF COMPLIANCE**, for the purpose of the provisions set forth in Article 140.1 c) 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.

- My client is not subject to any cause of prohibition to enter into contracts with the public sector in accordance with the provisions set forth in Article 71.1 of the LCSP.
- I am current in compliance with all tax and social security obligations imposed by provisions in force, without prejudice to undertaking to provide proof of such requisite before formally executing the contract, in accordance with the General Specifications according to which contracting is governed, if my client is awarded.

In....., on.....[day].....[month] [year].

(Place, date and signature of the tenderer)

Signed: