

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

**TERMS OF REFERENCE
Team leader**

Type of Contract: Service contract

Duty Station: NayPyiTaw, 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 Team Leader who can lead and support the MYPOL team. 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 375.000 € (three hundred seventy-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:

- Representing the project before the political and institutional authorities, included beneficiaries and the European Union;
- Managing the team, ensuring all project's components work jointly towards the same goal;
- Providing guidance towards coherence to project's components and assuring the information flow;
- Working closely with the Project Management Unit at FIIAPP's headquarters;
- Ensuring coordination of the project with other initiatives carried out by other Member States or other donors/partners in the area of police reform;
- Coordinating with FIIAPP for administrative and technical issues.
- Create an inspiring team environment with an open communication culture;
- Centralize all information obtained in the framework of project activities and assuring knowledge management and innovation;
- Coordinating, managing and promoting all training processes, technical assistance, institutional support and study visits;
- Assuring activities are carried out and they are in line with the strategy of the project;
- Ensure proper and timely planning of project activities on the basis of the EU-FIIAP agreement;
- Prepare steering committee meetings to validate plans in close cooperation with all implementing partners and the EU Delegation;
- Active participation in report drafting processes, particularly to the EUD (significant document inputs, reports coherence...), ensuring project reports are prepared well in time and the reported achievements are validated by steering committee meetings;
- Produce any report that FIIAPP's Director of Security and Justice deems appropriate;
- Ensuring the achievement of project results and indicators.
- Overseeing of monitoring, evaluation, accountability and learning (MEAL)

- Ensure preparation and implementation of proper project communications strategy;
- Ensure continued strategic and technical dialogue with Myanmar police and government officials to ensure adequate planning, of activities and monitoring implementation;
- Ensure the entire team applies the gender perspective and that gender is taking into consideration in the activities MYPOL carries out;
- Coordinating technical assistance, training and other activities developed by short-term experts linked to your project;
- Identifying key issues, lessons learned and best practices in the implementation of project activities;
- Assuring the correct and efficient use of the budget and its justification in conjunction with FIIAPP headquarters and following EU regulations;
- Any other aspect related to the position in the project contract;

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 experience as a police officer or at least 10 years of experience in the field of security issues from a human rights approach.
- Minimum 10 years of experience in international cooperation.
- Minimum 10 years of managing multiple teams with different cultural backgrounds.
- 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 relevant professional performance as a police officer or in the field of security issues from a human rights approach.
- 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.	6
	Relevant additional studies, training or certification on human rights and/or international cooperation.	6
	Additional years of relevant professional performance as a police officer or in the field of security issues from a human rights approach.	14
	Proven activities with internal police reform, security legal framework, community policing, crowd management and/or criminal investigation.	16
	Activities developed in managing the project cycle, including project planning and reporting.	16
	Activities developed working with national/international NGOs/UE/UN bodies/ Government.	15
	Previous works in EU-funded projects focused on security, or any other international donor	15
	Actions performed in multicultural environments in Southeast Asia.	16
	Knowledge of gender issues in the context of democratization and security	16

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 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": "**Team leader**".

Deadline for receipt of applications: 29th July, 2019 at 12.00h (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 experience as a police officer or at least 10 years of experience in the field of security issues from a human rights approach.		
Minimum 10 years of experience in international cooperation.		
Minimum 10 years of managing multiple teams with different cultural backgrounds.		
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: 6 points		6	
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		6	

Additional years of relevant professional performance as a police officer or in the field of security issues from a human rights approach.	7 p: 10- 14 years 14 p: >15 years		14	
Proven activities with internal police reform, security legal framework, community policing, crowd management and/or criminal investigation.	1 point per year performed		16	
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		16	
Activities developed working with national/international NGOs/ UE/ UN bodies/ Government.	1 point per year performed		15	
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		15	
Actions performed in multicultural environments in Southeast Asia	0,5 points per activity performed longer than 5 months		6	
Knowledge of gender issues in the context of democratization and security	0,5 points per activity performed.		6	