

UNICEF Moldova

TERMS OF REFERENCE

Individual Consultancy

Develop adjustments to legislation for diversification of mechanisms and sources for vaccine procurement

Duration: 4 months, September - December 2017 (60 working days)

Location: Chisinau, Republic of Moldova

Background

The Government of the Republic of Moldova recognizes vaccination as a key public health intervention in ensuring control of the vaccine-preventable diseases. National Immunization Programme in Moldova (NIP) is one of the priority programmes in the health sector supported by the Central Government. The political commitment to the National Immunization Programme (NIP) remains strong over the years, as confirmed by the Government approval of the 5th NIP for 2016-2020 and responsibility to provide adequate financing for implementation of the immunization programme and 100% execution of approved budgets. Currently, Moldova is fully financing all vaccines included in the NIP as graduated country from Gavi support. Graduation from external support brings additional challenges to sustainable immunization financing, yet the country has met all financing requirements. Public financial allocations for implementation of the NIP have gradually increased from 872,557 USD in 2010 up to 1,262,488 USD in 2017, reflecting sustainable support towards the immunization programme.

Despite the high priority given to the NIP and fulfillment of the financial commitments by the Government, the country faces significant challenges in ensuring security of vaccines' supply. Over the last years, the ongoing supply of quality and safe vaccines in a timely manner has been difficult to ensure and the NIP has experienced the risk of vaccine shortage. The situation that generated such risk was related to a significant delay/failure to complete the procurement process for certain vaccines, in the context of the important changes on the global vaccine market with a declining number of the vaccine manufacturers, as well as relatively inflexible national legislation regulating public procurement.

Currently, during 2016-2017, Moldova has procured vaccines included in the NIP through UNICEF Supply Division under the Procurement Services MoU between UNICEF and the Ministry of Health of the Republic of Moldova to avoid any vaccine shortage. During previous years, vaccines and supplies were procured by the Medicines and Medical Devices Agency through open public tendering process (competitive bidding), the whole process being overseen by the Public Procurement Agency. The effectiveness and efficiency of the vaccine procurement process and ability to obtain affordable prices for high-quality vaccines is affected by the relatively small market size in Moldova, which complicates obtaining convenient offers from suppliers, and limited capacity to respond to fluctuating vaccine market availability and prices*.

UNICEF Moldova supported the Ministry of Health of the Republic of Moldova during 2016 in conducting assessment of the vaccine procurement system and supported national authorities in identifying practical solutions for improving effectiveness of the vaccine procurement process in accordance with the needs of the National Immunization Programme. This exercise ended with the development of the draft Country Action plan for strengthening vaccine procurement system in the Republic of Moldova. The work plan included a tool with interventions proposed to strengthen administrative efficiency in vaccine procurement through strengthening institutional arrangements, risk management activities, SOPs, GMP provisions, procurement strategies along with other relevant areas identified for improvement during this exercise.

* Assessment of the vaccine procurement system in the Republic of Moldova, 2016

As part of its continuous support and implementation of the UNICEF-Government of the Republic of Moldova 2013-2017 Country Programme, UNICEF assists the Ministry of Health in strengthening country capacity for vaccine procurement through revision of vaccine procurement mechanisms to impact positively the price and timely access to vaccines.

1. Purpose of work

The purpose of the consultancy is to provide technical assistance in vaccine procurement area, with particular focus on developing amendments to the procurement law with feasible scenarios presented and validated by the technical working group at the Ministry of Health aimed at improving access to quality health services that promote children's well-being.

2. Objectives

The specialist will have following major areas of responsibilities and tasks:

- **Identify feasible alternative options of vaccine procurement mechanisms to impact positively the price and timely access to vaccines.**

Provide technical support to UNICEF and partners in finalization and approval of the Country Action Plan for strengthening vaccine procurement system in the Republic of Moldova. Provide guidance, engage in and establish constructive dialogue with the technical working group on establishing priority actions and identify deadlines and responsible partners. Ensure **validation process** of the finalized Action plan to strengthen vaccine procurement system in the Republic of Moldova with the working group and facilitate the **approval** process by the Ministry of Health of the Republic of Moldova.

- **Develop and submit set of documents with amendments to the procurement law(s)[†] to improve performance of the vaccine procurement system in place in Moldova.**

In-depth analysis of the current procurement law and propose alternative efficient options to increase responsiveness of the national procurement system to the changes on the global vaccine market. Develop amendments to the procurement law(s) to ensure diversification of sources and mechanisms that will improve administrative efficiency in vaccine procurement. Consult the proposed amendments to the procurement law for vaccine procurement system with the technical working group and other national stakeholders as required. Submit the proposed package of documents to relevant authorities for approval.

3. Details of how the work should be delivered

The contract is planned for four months, during the period September - December 2017 (60 working days) with possibility of extension. The consultant will develop activities according to the schedule bellow, and in close consultation with UNICEF Health Officer. Deliverables and deadlines should be in accordance with the work plan.

4. Deliverables and delivery dates

Deliverables include but are not limited to:

[†] Ibid

No.	Tasks	Deliverables	Tentative deadlines*
I.	Finalize Country work plan for strengthening the vaccine procurement system in the Republic of Moldova		September-October 2017 (23 working days)
1.	Desk review of the existing vaccine procurement models at global level that impact positively the price and timely access to vaccines.	<ul style="list-style-type: none"> • Concept note on international best practices presented and discussed with the technical working group • Scenarios on diversification of mechanisms and sources of vaccine procurement presented and agreed by the working group • Feedback from the working group collected and integrated 	10 days
2.	Analyse feasible scenarios to diversify procurement mechanisms and sources of vaccines and supplies to ensure appropriate pricing and safety of vaccines		
3.	Finalize the Country action plan for strengthening vaccine procurement system in the Republic of Moldova and work with the technical working group on establishing priority actions and identify deadlines and responsible partners.	<ul style="list-style-type: none"> • Priority interventions, responsible agencies and deadlines agreed by the technical working group 	5 days
4.	Ensure validation process of the finalized Country action plan for strengthening vaccine procurement system in the Republic of Moldova with the working group and approval within Ministry of Health of the Republic of Moldova	<ul style="list-style-type: none"> • Finalized document presented and validated by the technical working group • Document submitted to the Ministry of Health for approval 	5 days 3 days
II.	Develop and submit the set of documents with amendments to the procurement law to ensure efficient procurement of vaccines and supplies		October - December 2017 (37 working days)
5.	In-depth analyzes of the current procurement law and overlaps with identified scenarios developed for efficient procurement of vaccines and supplies	<ul style="list-style-type: none"> • Present and consult draft documents on amendments to the procurement law on participation in international tenders and/or pooled procurement and/or multi-year contracts and/or procurement from single source to the technical working group and relevant stakeholders • Feedback collected and integrated in the draft document 	15 days 3 days
6.	Develop and consult the proposed amendments to the procurement law for vaccine procurement system with the technical working group and other national stakeholders as required.		
7.	Validate the proposed set of documents with the technical working group and relevant national stakeholders	<ul style="list-style-type: none"> • Final document agreed by the technical working group and relevant partners 	4 days

8.	Submit the validated set of amendments to relevant authorities for approval.	<ul style="list-style-type: none"> Set of documents submitted for approval 	5 days
III.	Report on implementing activities submitted to UNICEF for approval	<ul style="list-style-type: none"> Agenda, working materials and feedback collected during consultation and validation processes of the documents presented 	10 days

** Exact deadlines will be mutually agreed upon contract signature.*

5. Reporting requirements

The consultant will produce the following major outputs during the assignment implementation. Each product will be under review by the UNICEF Health Officer and the National Working Group. The reporting language is English or Romanian.

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- Concept note on feasible scenarios for diversification of mechanisms and sources to ensure efficient vaccine procurement system;
- Finalized Country Action plan for strengthening the vaccine procurement system in the Republic of Moldova validated by the working group and national stakeholders;
- Set of documents on amendments required to procurement law to ensure diversification of vaccine procurement mechanisms and sources validated by the national working group and relevant stakeholders;
- Final report on implemented activities submitted to UNICEF for approval.

6. Performance indicators for evaluation of results:

The performance of work will be evaluated based on the following indicators:

- Completion of tasks specified in ToR;
- Compliance with the established deadlines for submission of deliverables, in line with operational plan;
- Quality of work;
- Demonstration of high standards of work with UNICEF and with counterparts;
- Successful partnerships with key partners and stakeholders.

7. Qualifications and experience

- University Degree in Law, Public Health or other relevant science;
- At least 3 years' experience in national public procurement system;
- Proven experience in development and or adjustment legal framework;
- Proven experience in public procurements with focus on health sector is a strong asset;
- Analytical capacity and proven experience in planning and management;
- Good communication and presentation skills;
- Excellent team work skills;
- Experience in working with UNICEF or other UN Agencies will be an asset;
- Excellent command of Romanian and good level of English, both oral and written.

8. Application process.

Interested individuals should submit both technical and financial proposal (separately).

Technical proposal should include the following:

- Personal Profile (the P11 form or *Curriculum Vitae*) highlighting the bidder’s qualifications and experience in implementing the assignment;
- Relevant experience with similar type of assignments (max 300 words)
- Proposed approach and methodology (max 1500 words), including:
 - Timeline and milestones
 - Risk and mitigation measures
 - Ethical considerations and how the consultant will address them
 - Sample questionnaire: 2-3 interview questions per type of stakeholder
- Annex: Short Sample or links to related work previously conducted by the consultant

9. Financial proposal and payment modality

Applicants will be required to provide a complete financial offer (attached below), with a per-line budget breakdown, the following lines included:

- Daily, all-inclusive consultancy fee, multiplied with working days as provided by the deliverables table;
- Any other applicable expenditures unless specified that UNICEF will cover.

The applicant should fill in the Financial Offer Template and specify the consultancy fee, per day of work, requested for the tasks described in the Terms of Reference in [USD/MDL].

The final selection will be based on the principle of “best value for money” i.e. achieving desired outcome at lowest possible fee.

If not provided by ToR, UNICEF will not reimburse costs not directly related to the assignment. The contract will not allow payment of off-hours, medical insurance, taxes, and sick leave.

UNICEF reserves the right to withhold all or a portion of payment if performance is unsatisfactory, if work/output is incomplete, not delivered or for failure to meet deadlines.

In case when a Moldovan resident is selected for contracting, MDL will serve as contract currency, converted at the UN exchange rate applicable at contract signature date.

Evaluation criteria for selection

The candidate is expected to reflect in his/her application the qualifications/ knowledge/ experience related to the qualifications and tasks above. Technical evaluation will be performed through a desk review of applications, and if necessary, may be supplemented by an interview.

The selection will be based on the principle of “best value for money” among the technically qualified candidates

The total amount of points to be allocated for the price component is 30. The maximum number of points (30) will be allotted to the lowest price proposal of a technically qualified offer. Points for other offers will be calculated as $\text{Points (x)} = (\text{lowest offer} / \text{offer x}) * 30$.

The selection process is aimed at selecting the applicant who obtains the highest cumulative score (technical evaluation + financial offer evaluation points) following “best value for money” principle.

10. Payment schedule

The payment will be done in tranches, according to the following schedule. All deliverables must be delivered on time and to the satisfaction of UNICEF Moldova.

Deliverable (delivered according to the timeline agreed upon with UNICEF)	Proportion of payment
Finalized Country work plan for strengthening the vaccine procurement system in the Republic of Moldova	30%
Submission of the set of documents on amendments required to procurement law to ensure diversification of vaccine procurement mechanisms and sources validated by the national working group and relevant stakeholders	30%
Final Report on implemented activities	40%

UNICEF reserves the right to withhold all or a portion of payment if performance is unsatisfactory, if work/outputs are incomplete, not delivered for failure to meet deadlines.

11. Definition of supervision arrangements

The specialist will work under the direct supervision of the Health Officer of UNICEF Moldova, that will regularly communicate with the consultant and provide feedback and guidance on his/her performance and all other necessary support so to achieve objectives of the consultancy. The consultant will consult regularly with relevant partners and UNICEF specialist as required. All activities and deliverables will be discussed and planned in consultation with UNICEF.

12. Work location and official travel involved

The assignment will be delivered within the country in close partnership with national stakeholders: Ministry of Health, National Centre of Public Health, National Agency for Centralized Procurement of Medicines and Devices, etc. The work will not require any local travels within or outside the country during this assignment.

13. Copyrights & utilization rights

The copyright and the right of utilization of all the materials will belong to UNICEF Moldova.

14. Support provided by UNICEF

UNICEF will regularly communicate with the specialist and provide feedback and guidance and necessary support so to achieve objectives of the work, as well as remain aware of any upcoming issues related to the performance and quality of work. UNICEF will provide an initial package of relevant documents and available research, and an initial list of relevant experts and counterparts to work with. UNICEF will also request relevant data – as agreed upon with the consultant – from relevant government counterparts.

15. Ethical considerations

During the Assessment semi-structured interviews are envisaged. The Contractor will ensure that the process is in line with the United Nations Evaluation Group (UNEG) Ethical Guidelines[‡]. The Contractor should be sensitive to beliefs, manners and customs and act with integrity and honesty while interacting with stakeholders and beneficiaries. Furthermore, the Contractor should protect the anonymity and confidentiality of individual information. All participants should be informed about the context and purpose of the Assessment, as well as about the confidentiality of the information shared. The Contractor is allowed to use documents and information provided only for the tasks related to these terms of reference.

[‡] UNEG Guidelines <http://www.uneval.org/document/detail/102>