

Terms of reference (ToR) for the procurement of services below the EU threshold

CONFIDENTIAL

Development of a Methodological Guide and Model Legal Forms for the Judicial Protection of Community Rights	Project number/ cost centre: 23.2131.3-001.00
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0.	List of abbreviations	2
1.	Brief information on the project.....	3
2.	Context.....	3
3.	Tasks to be performed by the contractor	4
4.	Concept.....	5
	Technical-methodological concept	5
5.	Personnel concept.....	5
	Team leader (2.1).....	6
	Key expert 1 (2.2).....	6
6.	Costing requirements	7
7.	Requirements on the format of the tender	7

0. List of abbreviations

IMD	Integrated Municipal Development in Armenia
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH
BMZ	German Federal Ministry for Economic Cooperation and Development
SDC	Swiss Agency for Development and Cooperation
MTAI	Ministry of Territorial Administration and Infrastructure of the Republic of Armenia
LSGs	Local self-government bodies
ToRs	Terms of reference

1. Brief information on the project

The Integrated Municipal Development in Armenia (IMD) project aims to enhance the efficiency, effectiveness, and citizen-orientation of local self-governments. By advising and supporting partner organizations, the project seeks to improve the framework for local development while closely collaborating with selected municipalities known as transformation partners. These efforts focus on implementing reforms to enhance service quality and accessibility, foster local economic growth, optimise local self-governance, and empower citizens in municipal decision-making.

Throughout the project duration from April 2024 to March 2027, success stories and lessons learned from transformation partners will be shared through various exchange platforms, ensuring the replication of successful models for integrated municipal development across Armenian local self-governments.

The project is implemented by GIZ on behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ) and is co-financed by the Swiss Agency for Development and Cooperation (SDC). It is carried out in close cooperation with the Ministry of Territorial Administration and Infrastructure (MTAI) as the main political partner.

2. Context

The principle of judicial protection of local self-government rights is a foundational element of democratic governance and decentralization. It is explicitly established in Article 4 of the European Charter of Local Self-Government and reaffirmed by the Constitution of the Republic of Armenia and the national Law on Local Self-Government. This principle guarantees that communities have not only the right to self-govern but also the legal means to defend this right when it is violated or undermined.

While Armenia has made significant progress in decentralization and local governance reform over the past decade, challenges remain in ensuring that local self-government bodies (LSGs) are equipped with the legal tools and procedural knowledge to exercise this principle effectively. In many cases, municipalities face legal, institutional, and practical barriers when attempting to protect their autonomy through judicial mechanisms—particularly in matters related to contested state decisions, resource allocation, administrative oversight, or institutional restructuring.

In recent years, Armenia has undertaken major reforms to its legal framework for judicial proceedings. The 2018 revised Civil Procedure Code and 2021 amendments to the Administrative Procedure Code have modernized the country's justice system and expanded access to remedies. However, the application of these frameworks at the local level remains uneven, and communities often lack professional legal capacity or clear procedural guidance to engage with courts effectively. In addition, Constitutional Court procedures—despite offering unique protections to local governance—remain underused due to a lack of awareness or accessible templates.

To address these gaps, the MTAI, as the state authority responsible for local governance policy and institutional support, has identified a pressing need to systematize and standardize the legal tools available to municipalities. Within the broader goals of administrative-territorial reforms and decentralization, the MTAI has proposed the development of a comprehensive methodological guide and model

procedural documents that would serve as an official reference package for all communities across Armenia.

This initiative aligns with the Government's commitment to strengthening rule of law, improving access to justice for LSGs, and ensuring that decentralization reforms are accompanied by concrete legal empowerment measures. It also directly supports the implementation of Armenia's upcoming Decentralization Strategy, currently under preparation with support from GIZ and other development partners.

Through this assignment, local governments will receive practical tools to assert their legal standing, defend their rights in Constitutional, Civil, and Administrative courts, and comply with complex procedural requirements. The final product is expected to strengthen institutional resilience, enhance legal certainty, and improve the overall functionality of local democracy in Armenia.

The assignment aims to develop a comprehensive methodological guide and accompanying model procedural documents to support LSGs in exercising their right to judicial protection. The assignment shall be carried out in close cooperation with the MTAI and aligned with the legal and institutional framework of Armenia.

3. Tasks to be performed by the contractor

The contractor is responsible for providing the following services:

Task 1: Legal and Institutional Analysis

- Conduct a comprehensive review of relevant Armenian legislation and judicial practices, including the RA Constitution, Constitutional Law on the Constitutional Court, Judicial Code, Civil Procedure Code, Administrative Procedure Code
- Identify key procedural rights of LSGs, relevant case law and judicial interpretations, gaps and challenges in current practice regarding community access to justice, international legal standards, especially the European Charter of Local Self-Government.

Task 2: Development of the Methodological Guide

Develop a user-friendly and legally accurate guide that provides LSGs with clear instructions on judicial protection mechanisms. At a minimum, the guide must include:

- An explanation of the legal basis for judicial protection of community rights under Armenian law and international standards
- Step-by-step procedures for submitting claims in Constitutional, Civil, and Administrative courts
- Guidance on legal standing, admissibility, deadlines, representation, and necessary documentation
- Practical examples or case references illustrating when and how municipalities can seek judicial remedies.

Task 3: Drafting of Model Procedural Documents

Develop editable and standardized legal templates to accompany the guide. These must include:

- Application form to the Constitutional Court
- Statement of claim to the Court of General Jurisdiction (civil case)
- Statement of claim to the Administrative Court
- Power of attorney for representation in court on behalf of a municipality
- Any additional forms deemed necessary during the analysis phase (e.g., response to court rejection, appeal request templates, etc.).

Task 4: Finalization and Submission of Deliverables

- Incorporate feedback received from MTAI and GIZ during internal review process
- Finalize the guide and legal templates.

Certain milestones, as laid out in the table below, are to be achieved during the contract term:

	Milestones/process steps/partial services	Expert days (up to)	Duration/Deadline
Task 1.	Legal and Institutional Analysis Report	25	08.08.2025
Task 2.	Draft Methodological Guide	45	28.11.2025
Task 3.	Draft Model Procedural Documents	20	09.01.2026
Task 4.	Final Methodological Guide and Legal Forms	10	30.01.2026
SUM		100	

Period of assignment: from June 2025 until February 2026 .

4. Concept

Technical-methodological concept

Strategy (1.1): The tenderer is required to consider the tasks to be performed with reference to the objectives of the services put out to tender (see Chapter 1 Context) (1.1.1). Following this, the tenderer presents and justifies the explicit strategy with which it intends to provide the services for which it is responsible (see Chapter 3 Tasks to be performed) (1.1.2).

The tenderer is required to describe the key **processes** for the services for which it is responsible and create an **operational plan** or schedule (1.4.1) that describes how the services according to Chapter 3 (Tasks to be performed by the contractor) are to be provided. In particular, the tenderer is required to describe the necessary work steps.

5. Personnel concept

The tenderer is required to provide personnel who are suited to filling the positions described, on the basis of their CVs (see Chapter 7), the range of tasks involved and the required qualifications.

Team leader (2.1)

Tasks of the team leader/expert

- Overall responsibility for the advisory packages of the contractor (quality and deadlines).
- Coordinating and ensuring communication with GIZ, partners and others involved in the project.
- Personnel management, in particular identifying the need for short-term assignments within the available budget, as well as planning and steering assignments and supporting local and international short-term experts.
- Regular reporting in accordance with deadlines.

Qualifications of the team leader/expert

- Education/training (2.1.1): Academic degree in Law.
- General professional experience (2.1.3): 15 years of professional experience in public sector governance, administrative law, or local self-government, with a proven track record of long-term engagement in local governance reforms.
- Specific professional experience (2.1.4): 10 years of experience in legal drafting and advisory work related to decentralization, municipal governance. The expert must demonstrate substantial involvement in Armenia's local governance reforms, including verifiable contributions to key legislation, legal frameworks, reform strategies over the past 10 years.

Key expert 1 (2.2)

Tasks of expert 1

- Support the Team Leader in analyzing the procedural legislation of the Republic of Armenia.
- Conduct comprehensive legal analysis in the fields of constitutional, civil, and administrative justice.
- Together with the Team Leader, design the methodological guide on judicial protection of community rights.
- Develop the respective sections of the methodological guide.
- Assist the Team Leader in drafting interim procedural documents that will form part of the guide.
- Prepare model templates for applications to the Constitutional Court and for claims submitted to administrative and general jurisdiction courts.

Qualifications of expert 1

- Education/training (2.2.1): University degree in Law, with specialization in constitutional, administrative, or municipal law.
- General professional experience (2.2.3): 7 years of professional experience in legal analysis, legislation drafting, or public law.
- Specific professional experience (2.2.4): 5 years of direct involvement in legal drafting or legislative advisory work related to local self-government, decentralization, or inter-municipal cooperation, with demonstrated expertise in Armenia's local governance legal framework and active engagement in key national reform processes and legislation over the past decade.

Soft skills of team members

In addition to their specialist qualifications, the following qualifications are required of team members:

- Team skills
- Initiative
- Communication skills
- Socio-cultural skills
- Efficient, partner- and client-focused working methods
- Interdisciplinary thinking

The tenderer must provide a clear overview of all proposed short-term experts and their individual qualifications.

6. Costing requirements

Specification of inputs

Fee days	Comments
Fees of TL/key expert/short-term expert pool	Expert fee(s), per working day and in total
Team leader and Expert 1	Total: up to 100 days

7. Requirements on the format of the tender

The structure of the technical proposal must correspond to the structure of the ToRs. In particular, the detailed structure of the concept (Chapter 4) should be organized in accordance with the positively weighted criteria in the assessment grid (not with zero). The tender must be legible (font size 11 or larger) and clearly formulated. It must be drawn up in English (language).

The complete tender must **not exceed 20 pages** (excluding CVs). If the maximum page length is exceeded, the content appearing after the cut-off point will not be included in the assessment. The information about the bidder must **not exceed 2 pages**. External content (e.g. links to websites) will also not be considered.

The CVs of the personnel proposed in accordance with Chapter 5 of the ToRs must be submitted using the requirements specified in the ToR. The CVs shall **not exceed 10 pages** each. They must clearly show the position and job the proposed person held in the reference project and for how long. The CVs must be submitted in English (language).

Please calculate your financial proposal based exactly on the parameters specified in Chapter 6 costing requirements. The contractor is not contractually entitled to use up the days or budgets in full. The number of days and the budgets will be contractually agreed as maximum limits. The specifications for pricing are defined in the price schedule. **The financial proposal must be submitted separately from the technical proposal.**