

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

Elaboration of Draft Council Decision “On Approving the Procedure and Format for Maintaining a Notifications Registry in Municipalities”	Project number/ cost centre: 23.2131.3-001.00
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0. List of abbreviations

BMZ	German Federal Ministry for Economic Cooperation and Development
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH
IMD	Integrated Municipal Development in Armenia
MTAI	Ministry of Territorial Administration and Infrastructure of the Republic of Armenia
LSG	Local Self-Government Bodies
ToRs	Terms of Reference

1. Context

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, optimize 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 in partnership with the Ministry of Territorial Administration and Infrastructure (MTAI).

Background

The establishment of a transparent and efficient process for managing community notifications is crucial for fostering active civic engagement and ensuring compliance with legal requirements.

Article 15, Part 1 of the Law on Freedom of Assembly emphasizes the importance of documenting notifications related to public assemblies. Concurrently, Article 36, Part 1, Clause 3 of the Law on Local Self-Government outlines the responsibilities of local self-governance bodies in managing community affairs, which includes the systematic maintenance of records pertaining to public assembly notifications.

The objective of this assignment is to develop an exemplary draft Council Decision, along with a rationale for its adoption that will enable Armenian municipalities to effectively and transparently register and maintain notifications related to public assemblies within their jurisdictions.

The proposed assignment serves multiple objectives:

1. **Legal Compliance:** Ensures adherence to statutory requirements governing public assemblies.
2. **Transparency:** Promotes openness by documenting community notifications, thus allowing residents to stay informed about public assemblies.
3. **Accountability:** Establishes clear responsibilities and actions associated with maintaining the registry, enhancing the municipal council’s accountability.

2. Tasks to be performed by the contractor

Task 1: Develop the exemplary draft Council Decision “On Approving the Procedure and Format for Maintaining a Notifications Registry in Municipalities”.

The Procedure should outline and include, at a minimum, the following elements, but should not be limited to:

- the legal basis,
- regulations governing relations related to the maintenance of the registry;
- the objectives of the procedure;
- a description of the cover sheet (or front page) of the registry with entry requirements;
- the grounds for making entries in the registry,
- the process for entering notifications into the registry, including the order and timeframes for making such entries;
- the application form on behalf of the residents and organisations submitting the notification;
- the description of the stages, actors, and responsibilities involved in the process;
- actions required following the registry entries, including descriptions of those responsible for each step;
- a description of how the registry is to be maintained;
- a description of how copies of notifications must be posted in a publicly accessible and visible locations within the municipality, including details on the dates, actions, and individuals involved and entries in the registry;
- from the moment a notification is entered in the registry, the process, including how it is posted on the official municipal website, details on the dates, actions and individuals involved and entries in the registry must be clearly outlined.

Task 2: Develop the justification of rationale for the adoption of the draft decision by the Municipal Council.

Task 3: Integration of feedback and finalization of the package

- Present and discuss the package with the MTAI, GIZ and municipalities, and revise based on provided comments; finalize the documents.
- Submit the final documents to GIZ.

This outline provides a comprehensive framework for implementing the procedure for maintaining a register of information in the community, ensuring transparency, legal compliance, and active citizen participation.

Any further task arising during the implementation of the assignment needs a prior agreement between the Contractor and GIZ.

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

Tasks/ Deliverables		Expert days (up to)	Language	Duration/ Deadline
Tasks 1, 2	Develop the exemplary draft Council Decision and the rationale for adoption	15	ARM	13.12.2024
Task 3	Finalization of the package	5	ARM	27.12.2024
		20		

Period of assignment: from November until December 2024.

The Contractor is obliged to perform the assignment based on this ToR while ensuring close contact and cooperation with GIZ throughout the implementation of the assignment. The Contractor is further required to submit all the deliverables to GIZ. Approval from GIZ is mandatory at each stage before moving on to the next level.

Please note that GIZ security regulations, concerning operations in some areas of Tavush and Gegharkunik, Vayots Dzor, Ararat and Syunik provinces, are based on the travel warning issued by the German Federal Foreign Office and will be provided upon request.

3. Concept

In the tender, the tenderer is required to show how the objectives defined in Chapter 0 (Tasks to be performed) are to be achieved, if applicable under consideration of further method-related requirements (technical-methodological concept). In addition, the tenderer must describe the project management system for service provision.

Technical-methodological concept

Interpretation of objectives (1.1.1): The tenderer is required to consider the tasks to be performed with reference to the objectives of the services put out to tender. Following this, the tenderer presents and justifies the explicit interpretation with which it intends to provide the services for which it is responsible.

Strategy (1.1.2): Present a strategy for implementing the assignment. The strategy should focus on enhancing inter-community cooperation through comprehensive legal analysis, identifying gaps in current frameworks, and integrating international best practices. Emphasizing stakeholder engagement, the strategy should propose sustainable solutions that align with Armenia's decentralization goals and strengthen collaboration between municipalities.

Work schedule and time schedule (1.1.4): The tenderer is required to describe the key processes for the services for which it is responsible and create a **work schedule** that describes how the services according to **Chapter 0** (Tasks to be performed by the contractor) are to be provided. In particular, the tenderer is required to describe the necessary work steps and present time schedule.

4. Personnel concept

The tenderer is required to provide a CV, required qualifications, samples of previous work.

Expert (2.2)

- Education/training (2.2.1): Academic degree in relevant fields such as Law, public administration, political science, or another field relevant for the assignment.
- General professional experience (2.2.3): 7 years of professional experience in legal analysis.
- Specific professional experience (2.2.4): 5 years of professional experience in carrying out legal analysis of national legislation related to the field of local self-government, including developing legal recommendations, drafting legal acts, methodologies within the field; implementation of 3 successful projects or reports related to local self-governance.
- Development cooperation: 5 years of experience (2.2.7) in advising in the field of development cooperation

5. Costing requirements

Specification of inputs

Fee days	Comments
Fees of experts	Expert fee(s), per working day and in total
Travel expenses	Comments
Overnight allowance in country of assignment	Accommodation is reimbursed by 5.000 AMD per night as a lump sum. If the actual expenses are higher, reimbursement for the full amount is possible upon provision of evidence
Transport	Comments
Travel expenses (train, car)	Travelling by private car is reimbursed with 100 AMD per km as a lump sum or upon provision of evidence-based on the market price of transportation service.
Other costs	Comments
Other costs	Any other expenses essential for implementing the assignment, e.g., costs for materials. Evidence of these expenses must be submitted.

6. 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 3) 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 or Armenian** (language).

The complete tender must **not exceed 10 pages** (excluding CVs). If one of the maximum page lengths 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 4 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 also be submitted in **English or Armenian** (language).

Please calculate your financial proposal based exactly on the parameters specified in Chapter 5 costing requirements. The contractor is not contractually entitled to use up the days, trips or budgets in full. The number of days, trips 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.**