

EVALUATION OF THE 2018-2021 LRCM STRATEGY

TERMS OF REFERENCE

Date: 11 May 2021

Job title: Evaluation Expert

Reference: LRCM Strategy 2018 - 2021

Period of assignment: June – July 2021

The Legal Resources Centre from Moldova (LRCM) is a non-profit organization that contributes through research and advocacy to strengthening democracy and the rule of law in the Republic of Moldova, with focus on justice, fight against corruption, human rights and civil society. We are independent and non-partisan.

The LRCM promotes an independent, efficient, and accountable judiciary, respect of human rights, an enabling environment for civil society and democracy. For that end, we identify problems with systemic impact, bring them into the public agenda, propose solutions, react to abuses and mobilize partners for positive change. More information on LRCM activity is available at www.crjm.org.

The LRCM believes in democracy, rule of law, human rights and values of an open society and is guided by the following principles:

- a) Professionalism and respect for professional ethics,
- b) Integrity and transparency,
- c) Human rights approach,
- d) Gender balance,
- e) Proactive and constructive attitude to changing things for better,
- f) Team spirit and participatory approach in strategic decision making,
- g) Political non-affiliation.

1. BACKGROUND

LRCM intends to evaluate its 2018-2021 Strategy, meant to lead to the achievement of the following strategic goals:

- a) independent, accountable, non-corrupt and efficient justice system.
- b) effective observance of human rights.
- c) A stronger civil society able to engage freely and efficiently in public policy and help citizens
- d) efficient, strong and sustainable LRCM.

In order to achieve the strategic goals of the organization, LRCM mainly engages via:

- policy research, analysis and promotion,
- monitoring of the justice sector,
- response to dangerous decisions with systemic impact,
- information and raising awareness of the society and development partners,
- training and other empowering activities,
- strategic litigation.

The LRCM acts in public benefit. The direct beneficiaries of the LRCM include actors of the justice sector, particularly ministry of justice, judges, prosecutors, lawyers, law students and young legal professionals, litigants in strategic litigation, non-commercial organizations and media. The main partners of the LRCM include non-governmental organizations, development partners, media and universities that share our values.

The 2018-2021 Strategy was developed in the second half of 2017, after the assessment of the impact of the 2013 – 2017 LRCM’s Strategy. The Strategy was intended to guide the work of the LRCM. It was developed in parallel with the Results-Based Management Matrix. The LRCM’s Board and personnel has reviewed on yearly basis the progress in the implementation of the Strategy, and, based on the results, the Board approved the detailed annual action plan of the LRCM.

The evaluation of the Strategy is part of the project “Institutional Support for Organizational Development” implemented by the LRCM and funded by Sweden.

2. PURPOSE OF ASSIGNMENT

LRCM seeks to contract a consultant / team of consultants (hereinafter referred to as - *the Consultant*) to undertake the external evaluation of the implementation of the 2018-2021 Strategy. The external evaluation is conducted to ensure the accountability to stakeholders and local partners and to validate the relevance, effectiveness and efficiency of the activities implemented by LRCM. It will also be used as a baseline for the next LRCM strategy to be elaborated in August-October 2021.

Objectives of the Evaluation

The objectives of this evaluation are to:

- **Undertake an evaluation to assess the strategy’s:**
 - a) **Relevance** – the extent to which the objectives were consistent with beneficiaries’ needs and priorities;
 - b) **Effectiveness** – the extent to which the targeted objectives of the strategy were achieved (or are expected to be achieved);
 - c) **Sustainability** – the extent to which the benefits are likely to continue for the period of the next strategy;
 - e) **Impact** – where possible, the long-term effects produced during the implementation period (directly, indirectly, intended, unintended, positive and negative).
- **Provide recommendations for the next LRCM Strategy (2022-2025).**

Illustrative questions directed at evaluating the activities, in each of the objectives, might include (but are not limited to) the following domains:

- a) To what extent the studies and policy proposals drafted by the LRCM team contributed to a more transparent and accountable justice system in Moldova?
- b) To what extent active monitoring of judicial institutions, such as the Superior Council of Magistracy, by LRCM increased the institutions transparency?
- c) To what extent the public reactions of LRCM contributed to a more independent judiciary?
- d) To what extent the activities undertaken by the LRCM team enabled professionals to use and apply human rights standards in their daily work?
- e) To what extent the documents produced by the LRCM helped the national stakeholders and international fora?
- f) To what extent the activities undertaken by the LRCM lead to a more conducive Legal framework for a more effective and sustainable CSO sector?
- g) How has the LRCM activity influenced the CSO sector, and what capacities has it built, if any?
- h) To what extent the implemented activities under the institutional program component strengthened LRCM’s watchdog and institutional capacities?
- i) Is there evidence that the initiatives started during the implementation period are likely to grow – scaling up and out – for the next strategy of LRCM?

The evaluation shall focus on the period 2018-2021 (the duration of the strategy).

3. METHODOLOGY

The evaluation assignment is expected to be conducted in a consultative and participatory way. LRCM expects the Consultant to use, but not to limit to the following methods: desk study and review of LRCM regulatory documentation including project documents, activity reports, interviews with the staff, donors and direct beneficiaries (interviews will be conducted via teleconference), as well as other methods as deemed appropriate by the Consultant. The Consultant shall draft the methodology and consult it with LRCM prior to initiating the evaluation. Critical reflection and learning is integral to this process. The Consultant is expected to plan and ensure the engagement of the LRCM staff in the evaluation process. The LRCM staff will assist the consultant/s in arranging the interviews.

4. KEY DELIVERABLES

The Consultant shall provide the following deliverables:

- 1) Methodology / action plan, including evaluation tools;
- 2) A draft evaluation report of the LRCM strategy for 2018-2021 period, to be submitted to LRCM for comments by 15 July 2021;
- 3) A final evaluation report on the implementation of the strategy, which will cover at least the following: executive summary, brief background reflecting the main activity of LRCM, main findings related to the evaluation questions and including detail of any unintended outcomes that are resulting from the implemented activities, recommendations for future strategy of the organization (2022-2025), to be presented by 30 July 2021.

All deliverables shall be presented in English. The exact report format and intermittent timeline will be agreed upon with the Consultant prior to commencing the assignment.

5. TIMELINE

The final Evaluation report shall be delivered by **30 July 2021**.

6. REQUIREMENTS FOR THE CONSULTANT

The Consultant (company or individual) shall have proven experience in evaluation of strategies with at least 5 years of experience. Additional requirements include:

- a) good knowledge of Moldovan or regional rule of law context;
- b) record of participation in minimum two assignments of similar evaluation or degree of complexity in the last 10 years;
- c) solid experience in project cycle management (project design, management, monitoring and evaluation);
- d) excellent writing, analytical, reporting and communication skills;
- e) experience in civil society organizations strategy design and evaluation is an advantage;
- f) proficiency in English. Knowledge of Romanian is an advantage.

7. EVALUATION AND SELECTION PROCESS

Stage 1: Compliance check

At this stage, a review of formal requirements will be conducted. It includes screening of the application on the basis of ToR and checking the completion of all application components (CV, Methodological approach, Financial offer and others as per the ToR). The compliance check is executed by the Director of Administrative Service and the Administrative Assistant.

Stage 2: Evaluation of the full application

At this stage, a review of formal requirements will be conducted by the Procurement Committee. The cumulative method will be applied in the evaluation of the applications. The contract will be awarded to the candidate achieving the highest cumulative score from the technical and financial parts of the proposal. The technical proposal accounts for 70% of the total score and the financial proposal will

account for 30% of the total evaluation score. The calculation criteria of the Financial Offer will be based on a percentage proportion, awarding 100% (equivalent to 30 points) to the lowest financial bid submitted.

The offers will be evaluated based on the following criteria:

Criteria	Max. point
Technical	
Envisaged methodology and action plan, including evaluation tools for the assignment	30
Knowledge of Moldovan or regional rule of law context	15
Participation in previous similar assignments	10
Experience in design and evaluation of the civil society organisations strategies	15
Financial offer	30
TOTAL	100

8. APPLICATION PROCEDURE

Offers may be submitted by individual candidates and/or legal entities. The signed and dated offer shall be sent by e-mail to applications@crjm.org by **30 May 2021**, including the following components:

- the copy of the **registration certificate**/extract for the legal person and the **updated CV** of the candidates, together with a **Cover letter**, which will contain: interest in the assignment and a short description of previous portfolios/beneficiaries, including links or attached two most relevant similar assignments;
- An outline of the **envisaged methodology** for the assignment (outlining the overall approach and suggested methods), including a proposed **action plan** to achieve the key deliverables within the proposed timeline (up to 2-3 pages);
- **financial offer in USD**, with the breakdown of costs (consultancy fee per number of anticipated working days, translation costs, if any, eventual travel and accommodation to Moldova (the travel is not mandatory). Offers submitted in any other currency will be converted at the official exchange rate of the National Bank of Moldova at the deadline date for submitting the offers;

For local resident candidates: (a) **legal entities** are invited to send their financial offers with the application of the VAT exemption with deduction right. The confirmative documents for VAT exemption will be presented by the beneficiary; (b) **individual candidates** – NET amount.

For foreign individual candidates/legal entities, if selected:

- if any eventual travel to Moldova, the tax resident certificate issued by the relevant tax authority of the origin country will be requested. Upon presentation of the certificate of residence for tax purposes based on the Convention for the avoidance of double taxation, the Consultant will have the sole responsibility for the payment of all applicable taxes relating to Expert and Expert's employees arising from payments to be received;
- If during the execution of the Contract the services will be provided online from the Provider's country of residence, the Consultant will have the sole responsibility for the payment of income taxes relating to Expert and Expert's employees arising from payments to be received.
- VAT exemption shall be applied in full compliance with the tax legislation for the import of services applicable to the project "Institutional Support for Organizational Development", implemented by the Beneficiary and funded by Sweden. The confirmative documents for VAT exemption will be presented by the beneficiary.

Disbursement and payment modalities will be agreed upon later.

For any clarifications on the assignment, please e-mail at applications@crjm.org.

Legal Resources Centre from Moldova

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CONFLICT OF INTERESTS

In case of a conflict of interests, real or potential, with the members or employees of the LRCM, the candidate is obliged to declare it in a written document enclosed with the application.

NOTE: LRCM reserves the right not to choose any candidate in case the offers received do not meet the desired requirements mentioned in this ToR or its budget.

LRCM is an inclusive and diversity-friendly employer. We value difference, promote equality and challenge discrimination, enhancing our organisational capability. We welcome and encourage application from all qualifying candidates. We do not discriminate on the basis of disability, race, colour, ethnicity, gender, religion, sexual orientation, age, marital or parental status or other category protected by law. All applications will be treated with strictest confidence.