A. BACKGROUND AND CONTEXT

The Lao PDR Poverty-Environment Initiative (PEI) has been designed to support the central, provincial and district authorities in the effective promotion, regulation and enforcement of foreign, domestic and public investments. Main target areas include governance of natural resources (SDG 15), poverty reduction (SDG 1), enhancing development of human capital (SDG 8), minimizing impact on the environment (SDG 15), adapting to climate change (SDG13), promoting clean energy investment (SDG7), supporting a diversified economy and providing a fair distribution of benefits to the population (SDG 5), and promoting partnership through knowledge exchange (SDG17).

Initiated in 2009, the PEI programme has transformed into what the government now calls the “PEI approach” that addresses poverty reduction and environmental protection by supporting the Government’s national socio-economic planning and strategy formulation processes. The programme also focused on building investment regulatory tools and the knowledge to assess, measure and enforce financial, social and environmental obligations of developers. Another aspect includes strengthening Lao PDR’s National Assembly’s ability to deliver their constitutional oversight role on investment quality.

The Improving Quality Investment for Achieving Sustainable Development Goals in Lao PDR (September 2018 – August 2022) will build on the package of tools already established by the PEI Programme while further expanding the PEI’s Approach and tools to other important institutions that play a role in investment regulatory compliance. The objective of the project is to strengthen coordination of government’s regulatory capacity to coordinate and promote higher quality investment, improvement the ease-of-doing business, transparency, accountability, and effectiveness of investment management for achieving the sustainable development goals in Lao PDR.

In 2020, Lao PDR has endorsed the Decree on Public-Private Partnership to boost the investments in this area. To strengthen the Public-Private Partnership (PPP) regulation framework and ability of government official to develop and
B. SCOPE OF WORK, OUTPUTS AND DELIVERABLES

Under the overall supervision of the National Project Director, UNDP Project Analyst and PEA team, the consultant will perform the following tasks:

- Develop model contract for PPP investment project which content of the essential elements best on legal standard, international practice and applicable to the Lao PDR context;
- Conducts training on PPP contract for government officials to understand the contract principles, rationale of contract elements and how to adjust the PPP model contract in different sectors;
- For the case study, incorporation with IPD and relevant agencies to draft one specific model contract for an actual PPP project in infrastructure sector, a specific project to be selected by IPD.

The consultant is expected to deliver the followings outputs in English.
- The model contract for PPP investment project
- Training material and Training on PPP contract
- The model contract for a specific project in infrastructure sector (a specific project to be selected by IPD)

C. EXPERTISE AND QUALIFICATIONS REQUIRED

The successful applicant should have the following expertise and qualifications:

1. Advanced University degree in economics, business administration, law, public administration and development related field;
2. At least 7 years of relevant and progressive experience and knowledge on Public Private Partnership (PPP) and developing investment contract;
3. Prove experience in providing capacity building on PPP and knowledge transfer;
4. Prove strong research and analytical skills;
5. Strong interpersonal skills with ability to establish and maintained effective work relationship with people of different national and cultural backgrounds;
6. Experience with Government of Laos would be considered important asset;
7. Excellent written and spoken English is a must and knowledge of Lao is an asset.

D. MANAGEMENT AND IMPLEMENTATION ARRANGEMENTS

- The consultant will report to the National Project Director as necessary against the deliverable progress for administrative purpose.
- The consultant is also required to comply with the UN security directives set forth under http://dss.un.org
- The consultant will be given access to relevant information necessary for execution of the tasks under this assignment;
- The consultant is responsible for providing their own laptop computers and mobile phones for use during this assignment; the consultant must have access to reliable internet connection
- Payments will be made upon submission of a detailed time sheet and certification of payment form, and acceptance and confirmation by the supervisor

E. DUTY STATION

The consultant will be home-based. He/she will closely work with assigned government officers at IPD and PEAs team to
carry out the works.

F. TIMEFRAME

The consultancy will be carried out for 30 days working days within February - June 2022

G. PAYMENT SCHEDULE

Interested persons are requested to submit their financial proposals quoting their daily fees noting the following conditions:

a) Payments will be made upon submission of certification of payment form, and acceptance and confirmation by the supervisor

<table>
<thead>
<tr>
<th>Deliverables No.</th>
<th>Description of Deliverables/Payment</th>
<th>Timeline</th>
<th>Indicative number of days inputs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>40% of total consultancy payment upon the submission of: - The model contract for PPP investment project</td>
<td>March 2022</td>
<td>15 working days</td>
</tr>
<tr>
<td>2</td>
<td>30% of total consultancy payment upon the submission of: - Training material and Training on PPP contract</td>
<td>April 2022</td>
<td>05 working days</td>
</tr>
<tr>
<td>3</td>
<td>30% of total consultancy payment upon the submission of: - The model contract for a specific project in infrastructure sector (a specific project to be selected by IPD)</td>
<td>June 2022</td>
<td>10 working days</td>
</tr>
</tbody>
</table>

H. RECOMMENDED PRESENTATION OF OFFER

Interested persons are requested to submit the following documents as part of their application:

1) Brief description/ cover letter of why the individual considers him/herself as the most suitable for the assignment. Please paste the letter into the ‘Resume and Motivation’ section of the electronic application

2) Duly accomplished Letter of Confirmation of Interest and Availability using the template provided by UNDP

3) P11 Form indicating all relevant experience as well as the contact details (email and telephone number) of the candidate and at least three (3) professional references. Please use the P11 form provided by UNDP

4) Technical and Financial Proposal that indicates the daily fees as per the template provided by UNDP

I. CRITERIA FOR SELECTION OF THE BEST OFFER

The following criteria shall serve as basis for evaluating offers:

Combined Scoring Method:
- Where the qualifications and methodology will be weighted a maximum of 70% and combined with the price offer which will be weighted a maximum of 30%

Technical Evaluation of Proposals:
- All applications comprising the information/documentation provided will be evaluated to ascertain the suitability of the applicants to carry out the assignment. Candidates who obtain the minimum of 49 points of the full mark (70 points) will be considered technically compliant and their financial evaluations will be evaluated thereafter. Applications will be scored as per the following breakdown (Total 70 points):
Technica

tivaluation

<table>
<thead>
<tr>
<th>Points (70)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Education / background</td>
</tr>
<tr>
<td>- Advanced University degree in economics, business administration, law, public administration and development related field</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Points (70)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 Experience and competencies of the candidate</td>
</tr>
<tr>
<td>- At least 7 years of relevant and progressive experience and knowledge on Public Private Partnership (PPP) and developing investment contract</td>
</tr>
<tr>
<td>- Prove experience in providing capacity building on PPP and knowledge transfer</td>
</tr>
<tr>
<td>- Prove strong research and analytical skills</td>
</tr>
<tr>
<td>- Strong interpersonal skills with ability to establish and maintained effective work relationship with people of different national and cultural backgrounds</td>
</tr>
<tr>
<td>- Experience with Government of Laos would be considered important asset</td>
</tr>
<tr>
<td>- Excellent written and spoken English is a must and knowledge of Lao is an asset</td>
</tr>
</tbody>
</table>

| Total | 70 |

Financial Evaluation of Proposals:

- The financial proposals of all the applicants who pass the technical evaluation will be scored. The maximum 30 points will be allotted to the lowest financial bid, and all other bids shall receive points in inverse proportion to the lowest fee e.g. [30 Points] x [USD lowest] / [USD other] = points for other proposer’s fees. The contract shall be awarded to the applicant who receives the highest cumulative score.

J. APPROVAL

This TOR is approved by:

Mr. Korakan Luanglath  
National Project Manager  

Team Leader, Natural Resources Management, Climate Change and Disaster Risk Management

Signature:__________________  
Date: 24/01/2022

Date: