

Republic of Uganda



National Planning Authority

Request for Proposals Document
For
Procurement of Consultancy Services
without Publication of a Notice of
Expression of Interest

**Subject of Procurement: Independent Evaluation of the
Decentralisation Reform/Policy in Uganda.**

Procurement Reference Number: NPA/Srvcs/2016-17/00050

Date of Issue: 13th February, 2017

Standard Request for Proposals Document

PREFACE

1. This Standard Request for Proposals (RFP) document has been prepared by the Public Procurement and Disposal of Public Assets Authority (PPDA) for use by Procuring and Disposing Entities (PDEs) for the procurement of Consultancy Services. The procedures and practices presented in this RFP have been developed to reflect the requirements of the Public Procurement and Disposal of Public Assets Act, 2003 and the Public Procurement and Disposal of Public Assets, Regulations 2014 and best international procurement practices.
2. This RFP is suitable for use for procurement of consultancy services without publication of a notice of expression of interest. The RFP may also be used invite single or sole source consultants with appropriate modifications to the document.
3. This RFP can be used with the different selection methods described in the PPDA Regulations namely, quality and cost based selection (QCBS), quality based selection (QBS), fixed budget selection (FBS), and least cost selection (LCS) and consultant's qualification selection (CQS). The User Guide to this RFP further elaborates on how to use these methods of evaluation in the RFP.
4. Before using this RFP, the user should be familiar with the PPDA Act, 2003 and Regulations, 2014 and should read the User Guide to this RFP which has been prepared to provide guidance on the correct use of the Standard Request for Proposals (RFP) for Consultancy Services as a model for preparing an individual Request for Proposals.

PPDA welcomes any feedback or comments from the users of this RFP which will assist in improving this document.

**The Executive Director,
Public Procurement and Disposal of Public Assets Authority
P.O. Box 3925,
KAMPALA.
info@ppda.go.ug
www.ppda.go.ug**

Standard Request for Proposals Document

Contents

Standard Invitation to Consultants	4
Section 1: Instructions to Consultants	6
Section 2: Technical Proposal Submission Sheet	15
Section 3: Financial Proposal Submission Sheet	18
Part 2: Statement of Requirements	20
Terms of Reference	20
Part 3: Contract.....	33
Section 5: General Conditions of Contract.....	33
Section 6: Special Conditions of Contract.....	33
Section 7: Agreement	36

Standard Invitation to Consultant



National Planning Authority

Planning For Development



13th/ February, 2017

Dear Sirs/Madam,

RE: Request for proposal for Independent Evaluation of the Decentralisation Reform/Policy in Uganda.

Procurement Reference Number: NPA/Srvcs/2016-17/00050

The National Planning Authority (NPA) has allocated funds to be used for the acquisition of international and national consultants with expertise knowledge in the following areas; six specialists in the areas of: (i) Decentralization policy, legal and regulatory frameworks; (ii) Democracy and people's participation; (iii) Local government institutional frameworks and systems; (iv) Local government service delivery and financing; (v) Gender Specialist; and (vi) Statistician / Programmer. The international team will be supported by national counterparts in each of the thematic areas and also provide Team leader

The Entity invites sealed proposals for the provision of the above services.

Bidding will be conducted in accordance with the method of short listing of Consultants without publication of an expression of interest contained in the Government of Uganda's Public Procurement and Disposal of Public Assets Act, 2003, the PPDA (Procurement of Consultancy Services) Regulations, 2014 and the procedures described in Part 1: Proposal Procedures.

You may obtain further information and inspect the proposal documents at the address given below at (a) from 8.30 to 4.00pm.

Proposals must be delivered to the address below at (c) at or before **28/02/2017**. Late proposals shall be rejected. Proposals will be opened in the presence of the consultants' representatives who choose to attend at the address below at (d) on **28/02/2017 at 4.30 pm**

Documents may be inspected at: PLOT 15B PLANNING HOUSE, CLEMENT HILL ROAD

- (a) Documents will be issued from: PLOT 15B PLANNING HOUSE, CLEMENT HILL ROAD
- (b) Proposals must be delivered to: PLOT 15B PLANNING HOUSE, CLEMENT HILL ROAD
- (c) Address of Proposal Opening: PLOT 15B PLANNING HOUSE, CLEMENT HILL ROAD

Please inform us, upon receipt:

- (a) that you received the letter of invitation; and
- (b) whether you will submit a proposal alone or in association.

Standard Invitation to Consultants

The planned procurement schedule (subject to changes) is as follows:

Activity	Date
Issue of invitation to bid letter	13 th February ,2017
Proposal closing date	28 th February, 2017
Evaluation Process	13 th to 24 th Frebruar,2017
Display and communication of best evaluated bidder	6 th March ,2017
Contract signature	After clearance of SG if applicable

Signature:

Name: **Joseph Muvawala (PhD)**

Position of Authorised Official: **Executive Director**

Part 1: Proposal Procedures

Section 1: Instructions to Consultants

Procurement Reference Number: **NPA/Srvcs/2016-17/00050**

Preparation of Proposals: You are requested to submit separate technical and financial proposals, as detailed below. The standard forms in this RFP may be retyped for completion but the Consultant is responsible for their accurate reproduction.

You are advised to carefully read the complete Request for Proposals document, including the Special Conditions of Contract in Part 3: Contract, before preparing your proposal.

Where an electronic copy of the Request for Proposals Document is issued, the paper or hard copy is the original version. In the event of any discrepancy between the two, the hard copy shall prevail

Preparation of Technical Proposals: Technical proposals should contain the following documents and information:

1. The Technical Proposal Submission Sheet in this Part;
2. A brief methodology for performing the services;
3. A work plan, showing the inputs of all key staff;
4. CV's of key staff;
5. A summary of your experience in similar assignments;
6. The documents evidencing your eligibility, as listed below.

Preparation of Financial Proposals: Financial proposals should contain the following documents and information:

1. The Financial Proposal Submission Sheet in this Part;
2. A copy of the breakdown of Lump Sum Price form in this Part for each currency of your proposal, showing all costs for the assignment, broken down into fees and reimbursable and miscellaneous costs;

Validity of Proposals: Proposals must remain valid until 30/03/2018

Sealing and marking of Proposals: The technical and financial proposals should be sealed in separate envelopes, both clearly marked with the Procurement Reference Number above, the Consultant's name, the name of the Procuring and Disposing Entity and either "Technical Proposal" or "Financial Proposal" as appropriate.

Both envelopes should be enclosed in a single outer envelope, clearly marked with the Procurement Reference Number above, the Consultant's name and the name of the Procuring and Disposing Entity. All three envelopes should be sealed in such a manner that opening and resealing cannot be achieved undetected and bear a warning not to open before the time and date for proposal opening.

Submission of Proposals: Proposals should be submitted to the address below, no later than the date and time of the deadline below. Any proposal received by the Procuring and Disposing Entity after the deadline for submission of proposals shall be declared late, rejected, and returned unopened to the Consultant.

Date of deadline: 28/02/2017

Time of deadline: 4.30 pm.

Address: National Planning Authority
P.Box.21434 Kampala-Uganda

Part 1: Proposal Procedures

Opening of Proposals: Technical Proposals will be opened in public by the Procuring and Disposing Entity at the time, date and address shown above for submission of proposals. A record of the opening will be posted on the Procuring and Disposing Entity's Notice Board within one working day of the opening. Financial Proposals will be kept unopened and the evaluation committee shall have no access to financial information until the detailed evaluation is concluded.

Evaluation of Proposals: The evaluation of Proposals will use the quality and cost evaluation methodology as detailed below:

1. Preliminary examination to determine eligibility (as defined below) and administrative compliance to this Request for Proposals on a pass/fail basis;
2. Detailed evaluation to assess the best evaluation;
3. Financial comparison to determine the best evaluated bid.

Proposals failing any stage will be eliminated and not considered in subsequent stages.

Eligibility Criteria: You are required to meet the following criteria to be eligible to participate in public procurement:

1. have the legal capacity to enter into a contract;
2. not be insolvent, in receivership, bankrupt or being wound up or subject to legal proceedings for any of these circumstances;
3. not have had your business activities suspended;
4. have fulfilled your obligations to pay taxes and social security contributions;
5. have the nationality of an eligible country, as defined in the Special Conditions of Contract;
6. not to have a conflict of interest in relation to this procurement requirement; and
7. not to be subject to suspension by the Public Procurement and Disposal of Public Assets Authority.

Documents Evidencing Eligibility: Consultants are requested to submit copies of the following documents as evidence of your eligibility and sign the declaration in the Technical Proposal Submission Sheet:

1. A certificate of registration issued by the Authority for bidders currently registered with the Authority or a copy of the Bidder's Trading license or equivalent and a copy of the Bidder's Certificate of Registration or equivalent for bidders not currently registered with the Authority; n/a
2. Evidence of fulfillment of obligations to pay taxes and social security contributions in Uganda where applicable n/a
3. Any other relevant documentation.

Nationality of Personnel: All personnel employed under any resulting contract shall have the nationality of an eligible country as defined in the Special Conditions of Contract. Any related supplies or works purchased under any resulting contract shall have as their country of origin an eligible country, as defined in the Special Conditions of Contract.

Part 1: Proposal Procedures

Technical Criteria: Proposals shall be awarded scores out of the maximum number of points indicated below for each of the following criteria:

1. Decentralization Policy, legal and regulatory framework

Specific Experience	15
Demonstrated capacity for strategic thinking and working independently	
Relevant experience in excellent analytical skills, communication, report writing, presentation	
Ability to work in a team	
Drafting high quality documents under pressure	
Specific Experiences	45
A minimum of 10 years working experience in the thematic area of decentralization policy, legal and regulatory frameworks	
Demonstrated experience in developing draft Laws, regulations and other Government documents;	
Working experience with governments, donors, non-government and international development organizations is preferable;	
Familiarity with the local context surrounding Decentralization	
Key Personnel/Qualifications	05
A minimum of a master's degree in a legal field, Social Sciences or a closely related field from a reputable University. A PhD in a relevant discipline will be an added advantage. Personnel with relevant skills in the field described in the TOR's submitted was part of the team	
Description of approach/methodology to the assignment	35
Transfer of knowledge/general Experience	10
Proven experience working with teams	
Liaising with inter-agency teams	
Transfer of skills	
Totals	100
Minimum qualifying mark	70 per cent

Part 1: Proposal Procedures

2. Democracy and people's participation

Evaluation criteria	Maximum score
General Experience	15
Demonstrated capacity for strategic thinking and working independently	
Relevant experience in excellent analytical skills, communication, report writing, presentation	
Ability to work in a team	
Drafting high quality documents under pressure	
Specific Experiences	45
Should have a minimum of 10 years working experience in the thematic area of democracy and people's participation	
At least 5 years of experience carrying out research in the fields related to constitutionalism, decentralization and human rights or other related fields	
Working experience with governments, donors, non-government and international development organizations is preferable; and Should be aged 40 to 75 years.	
Key Personnel/Qualifications	05
A minimum of a Post Graduate degree in Democratic Governance, Human Rights or a closely related field from a reputable University. A PhD in a relevant discipline will be an added advantage.	
Description of approach/methodology to the assignment	35
Transfer of knowledge/general Experience	10
Proven experience working with teams	
Liaising with inter-agency teams	
Transfer of skills	
Totals	100
Minimum qualifying mark	70 per cent

Part 1: Proposal Procedures

3. Local government institutional frameworks and systems

Evaluation criteria	Maximum score
General Experience	15
Demonstrated capacity for strategic thinking and working independently	
Relevant experience in excellent analytical skills, communication, report writing, presentation	
Ability to work in a team	
Drafting high quality documents under pressure	
Specific Experiences	45
The Consultant should have at least 10 years working experience in the area of decentralization institutional development or local government policy development and implementation.	
Demonstrated experience in evaluation of decentralisation policies and reforms	
Working experience with governments, donors, non-government and international development organizations is preferable;	
Should be aged 40 to 75 years.	
Key Personnel/Qualifications	05
A minimum of a Post Graduate degree in Decentralization Institutional Development or a closely related field from a reputable University. A PhD in a relevant discipline will be an added advantage.	
Description of approach/methodology to the assignment	35
Transfer of knowledge/general Experience	10
Proven experience working with teams	
Liaising with inter-agency teams	
Transfer of skills	
Totals	100
Minimum qualifying mark	70 Per cent

Part 1: Proposal Procedures

4. Local government service delivery and financing

Evaluation criteria	Maximum score
General Experience	15
Demonstrated capacity for strategic thinking and working independently	
Relevant experience in excellent analytical skills, communication, report writing, presentation	
Ability to work in a team	
Drafting high quality documents under pressure	
Specific Experiences	45
The Consultant should have 10 years working experience in the area of fiscal decentralization and or LG service delivery policy making and oversight	
Demonstrated experience in evaluating decentralized service delivery systems	
Working experience with government, donors, non-government and international development organizations is preferable	
They should be aged 40 to 75 years.	
Key Personnel/Qualifications	05
A minimum of a Post Graduate degree in Fiscal Decentralization or a closely related field from a reputable University. A PhD in a relevant discipline will be an added advantage.	
Description of approach/methodology to the assignment	35
Transfer of knowledge/general Experience	10
Proven experience working with teams	
Liaising with inter-agency teams	
Transfer of skills	
Totals	100
Minimum qualifying mark	70 per cent

Part 1: Proposal Procedures

5. Gender Specialist

Evaluation criteria	Maximum score
General Experience	15
Demonstrated capacity for strategic thinking and working independently	
Relevant experience in excellent analytical skills, communication, report writing, presentation	
Ability to work in a team	
Drafting high quality documents under pressure	
Specific Experiences	45
A minimum of 8 years of working experience on gender and policy development related issues preferably in advising governments and or institutions on gender policy, gender equity and women`s empowerment	
Thorough understanding of the gender context in Uganda	
Working with international or non-governmental organizations supporting gender and development work	
Experience in gender planning.	
Key Personnel/Qualifications	10
A minimum of a Post Graduate degree in gender studies, human rights, social sciences or related field. A PhD in a relevant discipline will be an added advantage	
Description of approach/methodology to the assignment	35
Transfer of knowledge/general Experience	10
Proven experience working with teams	
Liaising with inter-agency teams	
Transfer of skills	
Totals	100
Minimum qualifying mark	70 per cent

Part 1: Proposal Procedures

6. Statistician / Programmer

Evaluation criteria	Maximum score
General Experience	15
Demonstrated capacity for strategic thinking and working independently	
Relevant experience in excellent analytical skills, communication, report writing, presentation	
Ability to work in a team	
Drafting high quality documents under pressure	
Specific Experiences	45
Should have at least 5 years of relevant experience in programming and data analysis;	
Should have a broad knowledge of research and impact evaluation methods,	
Strong ability to clean, debug, and analyze complex datasets that link data from a variety of sources.	
Extensive knowledge and demonstrated use of database management tools such as Access, SQL, SAS, SPSS, STATA and Excel required	
Experience in training and mentoring data entrants and analysts.	
Key Personnel/Qualifications	05
A minimum of a Post Graduate degree in Statistics (Statistical Computing) or Computer Science (Software development). A PhD in these fields will be of added advantage.	
Description of approach/methodology to the assignment	35
Transfer of knowledge/general Experience	10
Proven experience working with teams	
Liaising with inter-agency teams	
Transfer of skills	
Totals	100
Minimum qualifying mark	70 per cent

The minimum technical score required to pass the technical evaluation is 70 points.

Currency: Proposals may be priced in Uganda Shillings or any other freely convertible currency and in up to two currencies. The currency of evaluation will be Uganda shillings.

Part 1: Proposal Procedures

Proposals in other currencies will be converted to this currency for evaluation purposes only, using the exchange rates published by the Bank of Uganda on the date of the submission deadline.

Best Evaluated Bid: The best evaluated bid shall be and shall be recommended for award of contract. The Procuring and Disposing Entity shall issue a Notice of Best Evaluated Bidder within 5 working days from the decision of the contracts committee to award a contract, place such Notice on its notice board for the prescribed period, copy the Notice to all Consultants and to the Authority for publication on its website, prior to proceeding with contract award.

Award of contract: Award of contract shall be by placement of an Agreement in accordance with Part 3: Contract. A Procuring and Disposing Entity shall not award a contract to the best evaluated bidder until the lapse of ten days after the date of display of the Notice of Best Evaluated Bidder.

Right to Review: Consultants may seek administrative review by the Accounting Officer in accordance with the Public Procurement and Disposal of Public Assets Act, 2003 if they are aggrieved with the decision of the Procuring and Disposing Entity.

Right to Reject: The Procuring and Disposing Entity reserves the right to accept or reject any proposal or to cancel the procurement process and reject all proposals at any time prior to contract signature and issue by the Procuring and Disposing Entity, without incurring any liability to Consultants.

Part 1: Proposal Procedures

Section 2: Technical Proposal Submission Sheet

[Complete this form with all the requested details and submit it as the first page of your technical proposal, with the documents requested above attached. Ensure that your technical proposal is authorized in the signature block below. A signature and authorization on this form will confirm that the terms and conditions of this RFP prevail over any attachments. If your proposal is not authorized, it may be rejected.]

Proposal Addressed to (Procuring and Disposing Entity):	
Date of Technical Proposal:	
Procurement Reference Number:	
Subject of Procurement:	

I/We offer to provide the services described in the Statement of Requirements, in accordance with the terms and conditions stated in your Request for Proposals referenced above.

I/We confirm that I/we are eligible to participate in public procurement and meet the eligibility criteria specified in Part 1: Proposal Procedures of your Request for Proposals.

I/We, including any subcontractors or consultants for any part of the contract resulting from this procurement process are registered with the Authority. *[Consultants who are not registered or whose subcontractors are not registered should amend the statement to reflect their status].*

I/We have signed and undertake to abide by the Code of Ethical Conduct for Bidders and Providers attached during the procurement process and the execution of any resulting contract;

My/Our proposal shall be valid until _____ *[insert date, month and year]* and it shall remain binding upon us and may be accepted at any time before or on that date;

I/We enclose a separately sealed financial proposal.

Technical Proposal Authorised By:

Signature: _____ Name: _____

Position: _____ Date: _____
(DD/MM/YY)

Authorised for and on behalf of:

Company: _____

Address: _____

Part 1: Proposal Procedures

CODE OF ETHICAL CONDUCT IN BUSINESS FOR BIDDERS AND PROVIDERS

(Under Section 93 of the Public Procurement and Disposal of Public Assets Act, 2003)

1. Ethical Principles

Bidders and providers shall at all times-

- (a) maintain integrity and independence in their professional judgement and conduct;
- (b) comply with both the letter and the spirit of-
 - i. the laws of Uganda; and
 - ii. any contract awarded.
- (c) avoid associations with businesses and organisations which are in conflict with this code.

2. Standards

Bidders and providers shall-

- (a) strive to provide works, services and supplies of high quality and accept full responsibility for all works, services or supplies provided;
- (b) comply with the professional standards of their industry or of any professional body of which they are members.

3. Conflict of Interest

Bidders and providers shall not accept contracts which would constitute a conflict of interest with, any prior or current contract with any procuring and disposing entity. Bidders and providers shall disclose to all concerned parties those conflicts of interest that cannot reasonably be avoided or escaped.

4. Confidentiality and Accuracy of Information

- (1) Information given by bidders and providers in the course of procurement processes or the performance of contracts shall be true, fair and not designed to mislead.
- (2) Providers shall respect the confidentiality of information received in the course of performance of a contract and shall not use such information for personal gain.

5. Gifts and Hospitality

Bidders and providers shall not offer gifts or hospitality directly or indirectly, to staff of a procuring and disposing entity that might be viewed by others as having an influence on a government procurement decision.

6. Inducements

- (1) Bidders and providers shall not offer or give anything of value to influence the action of a public official in the procurement process or in contract execution.
- (2) Bidders and providers shall not ask a public official to do anything which is inconsistent with the Act, Regulations, Guidelines or the Code of Ethical Conduct in Business.

7. Fraudulent Practices

Bidders and providers shall not-

- (a) collude with other businesses and organisations with the intention of depriving a procuring and disposing entity of the benefits of free and open competition;
- (b) enter into business arrangements that might prevent the effective operation of fair competition;
- (c) engage in deceptive financial practices, such as bribery, double billing or other improper financial practices;

Part 1: Proposal Procedures

- (d) misrepresent facts in order to influence a procurement process or the execution of a contract to the detriment of the Procuring and Disposing Entity; or utter false documents;
- (e) unlawfully obtain information relating to a procurement process in order to influence the process or execution of a contract to the detriment of the PDE;
- (f) withholding information from the PDE during contract execution to the detriment of the PDE.

I agree to comply with the above code of ethical conduct in business.

AUTHORISED SIGNATORY

NAME OF CONSULTANT

Part 1: Proposal Procedures

Section 3: Financial Proposal Submission Sheet

[Complete this form with all the requested details and submit it as the first page of your financial proposal, with the documents requested above attached. Ensure that your proposal is authorized in the signature block below. A signature and authorization on this form will confirm that the terms and conditions of this RFP prevail over any attachments. If your proposal is not authorized, it may be rejected. The total price of the proposal should be expressed in the currency or currencies permitted in the instructions above.]

Proposal Addressed to (Procuring and Disposing Entity):	
Date of Financial Proposal:	
Procurement Reference Number:	
Subject of Procurement:	

The total price of our proposal is: _____.

We confirm that the rates quoted in our Financial Proposal are fixed and firm for the duration of the validity period and will not be subject to revision or variation.

Financial Proposal Authorised By:

Signature: _____ Name: _____

Position: _____ Date: _____
(DD/MM/YY)

Authorised for and on behalf of:

Company: _____

Address: _____

Part 1: Proposal Procedures

Breakdown of Lump Sum Price

[Complete this form with details of all your costs and submit it as part of your financial proposal. Where your costs are in more than one currency, submit a separate form for each currency. Authorize the rates quoted in the signature block below.]

Procurement Reference Number: _____

Purchase Order Serial Number: _____

[Purchase Order Serial Number to be completed in the event of award of contract only]

CURRENCY OF COSTS: _____

FEES				
Name and Position of Personnel	Input Quantity	Unit of Input	Rate	Total Price
TOTAL:				

REIMBURSABLE AND MISCELLANEOUS COSTS				
Description of Cost	Quantity	Unit of Measure	Unit Price	Total Price
TOTAL:				

TOTAL LUMP SUM PRICE IN CURRENCY: _____

Breakdown of Lump Sum Price Authorised By:

Signature: _____ Name: _____

Position: _____ Date: _____

(DD/MM/YY)

Authorised for and on behalf of:

Company: _____

Part 2: Statement of Requirements

Terms of Reference

Procurement Reference Number: NPA/Srvcs/16-17/00050



Terms of Reference for independent Evaluation of the Decentralisation Reforms

1. Background

Decentralization in Uganda has since 1987 evolved from rudimentary self-governance and watchdog functions to institutionalized devolution and de-concentration of powers from an originally over-centralized governance system.

The decentralization reform was launched in 1992. In 1993, the Local Governments (Resistance Councils) Statute was passed, creating the legal framework enabling the gradual transfer of powers in the years 1993 to early 1997. Simultaneously, the return of power to the people was deliberated upon by the constituent assembly (1993–1995). Eventually, democratic principles and objectives, which empower and encourage the active participation of all citizens at all levels in their own governance, were entrenched in the constitution. In effect, government has implemented the decentralisation reforms within the provisions of the constitution and the Local Government (Act CAP 243).

The objectives of Uganda's decentralization are to:

1. Transfer real power to Local governments and reduce the workload of remote, under resourced central officials
2. Bring political and administrative control over services at the point of delivery in order to improve accountability and efficiency.
3. Free local managers from central constraints, as a long-term goal, allow them to develop organizational structures tailored to local circumstances.
4. Improve financial accountability by establishing a clear link between payment of taxes and provision of services.
5. Improve local council capabilities to plan, finance and manage service delivery to their constituents, which was a total reversal of the centralizing tendencies of earlier governments.
6. Promote Local Economic Development

Part 4: Contract

Local governments are responsible for the delivery of functions and services including but not limited to: primary education, secondary education, special and technical education; trade; hospitals other than hospitals providing referral and medical training; health centres, dispensaries and aid posts; the construction and maintenance of feeder roads; the provision and maintenance of water supplies; agricultural extension services, land administration and surveying; and community development.

Currently, decentralization is facing a number of challenges which relate to the way decentralisation policy and reforms have been implemented. These include: resistance arising from the requirement to transfer responsibilities, power and resources from the centre to the local level; a weak institutional framework for spearheading the decentralization reform through and relating it to other government policies and programmes; dominance of conditional grants and failure to develop LG resource mobilisation capacity whose use is predetermined by the centre; pre-determined sector objectives and priorities to which local governments have to adhere; and the declining local government transfers from the centre for the delivery of decentralized services; the limited comprehension of the principles of decentralization which has led to scramble for local influence and power; corruption; patronage; clientilism; and elite capture.

In view of the evolution of decentralization in Uganda, Government through the National Planning Authority intends to conduct an independent evaluation of the decentralization policy to take stock of the progress made to-date; pick lessons for further improvement in democratic governance, social service delivery and increased household incomes; and obtain recommendations for improved efficiency and effectiveness in the implementation of the decentralized policy and reforms and the delivery of decentralised services.

Objectives of the Consultancy

The overall objective of the evaluation is to assess the progress made so far towards achievement of the decentralization policy and reform objectives and pick lessons for strengthening the policy reform.

The specific objectives of evaluation of the decentralization reform are to: -

1. Assess the efficiency and effectiveness of local governments in the delivery of decentralized mandates, functions and social services and recommend appropriate institutional frameworks and systems.

Part 4: Contract

2. Establish the extent of citizens' participation in electoral and non-electoral reforms, including awareness about the services and opportunities offered by decentralization
3. Assess the impact of central government control on the overall objectives of the decentralization reforms
4. Assess financial accountability mechanisms and responsibility Vis a Vis payment of taxes and the provision of services they finance.
5. Assess and recommend fiscal decentralization arrangements for the delivery of devolved services and decentralized institutional frameworks
6. Identify factors that constrain faster local economic development and make recommendations for improvement.

2. Scope

Overall, the independent evaluation of the decentralisation policy and reforms will be bench marked on international best practices on devolution of powers. In particular, it will involve assessment of the country's decentralisation model which involves strengthening democracy, peoples' participation and empowerment to determine the destiny of their communities.

Relevance: This will involve assessing the extent to which the policy is suited to the National Development Planning framework that is currently in place by considering:

- The extent to which the objectives are still relevant and valid;
- Consistency of the policy, legal, regulatory and institutional frameworks and practices with the decentralisation objectives; and
- Consistency of the implementation of the decentralisation policy with the intended impacts and effects.

Effectiveness: This will involve:

- Assessing the extent of achievement and likelihood of achieving the objectives; and
- Establishing the major factors influencing the achievement or non-achievement of the objectives and propose policy actions required to remedy the situation.

Efficiency: This will involve an assessment of the efficiency in achieving the results (qualitative and quantitative), in relation to the inputs. The efficiency assessments will thus include analyses of the cost-effectiveness and timeliness among others.

Impact: This will involve assessing the positive and negative changes from the decentralisation reforms, direct and indirect and intended and unintended. The impact assessment of the decentralisation policy will therefore analyse the results of the social, economic, and other development indicators, including cross cutting

Part 4: Contract

issues such as climate change, environment, HIV/AIDS, gender perspectives, Human rights among others.

Sustainability: This will be concerned with assessing resource mobilisation prospects, for strengthening the independence, budgetary implications and consistency with the social economic transformation processes. In addition, it will assess the institutional capacities of LGs in the delivery of decentralised services.

4. Duties and Responsibilities

4.1 Key Activities

- i. **Review existing materials:** The consultant will undertake desk review of successful decentralisation models and relevant documents, including policy and legal publications, decentralization performance and oversight review reports, JARD reports, national and sectoral guidelines, national plans and budgets, local government plans and budgets, civil society study reports on decentralisation in Uganda, statistical survey and census reports among others.
- ii. **Design of data collection tools:** The consultant will be expected to design appropriate methodologies relating to various evaluation requirements or aspects. He will also design data collection tools and provide training of nominated data collectors / researchers who will work as research assistants during the evaluation.
- iii. **Undertake fieldwork to collect information relevant to the review:** The main evaluation will involve undertaking collection of both secondary and primary data. The secondary data will be obtained from relevant publications and reports of government and non-state actors.

Primary data collection will be based on methods agreed during the approval process of the inception report. The fieldwork will, however, involve sampling of local governments, relevant sectors and MDAs in such a way as to ensure national level inference. The techniques of primary data collection will include: face to face interviews with political leaders and relevant technical staff; focus group discussions; key informant interviews; statistical surveys involving structured questionnaires; and observation.

The fieldwork data collection will be managed by the consultants, supported by the National Planning Authority and quality assured by the evaluation inter agency technical committee. Staff of the authority will arrange all

Part 4: Contract

meetings, support the consultant and teams in data collection in order to build capacity for future evaluations.

- iv. **Conduct workshops and conferences:** The Consultant supported by NPA will conduct consultation, validation and information gathering workshops and conferences to inform the reports preparation process for both local government stakeholders and those of the centre. The Consultant will also participate and take lead in the national Government dissemination conference of the reports.
- v. **Data analysis and report writing:** The Consultant(s) will undertake data analysis which will involve development of relational data banks to facilitate establishment of relationships among attributes. Time series data will be analysed to establish trends, impacts and forecasts.

Preparation of the report will be based on the results of the data analysis and findings in line with the objectives and specific terms of reference of the evaluation. The reports will be reviewed by the inter agency committee and approved by the NPA Executive Authority.

- vi. **Reports:** The Consultant(s) is expected to produce a various report based on the dimensions of the evaluation; namely (i) policy, legal and regulatory frameworks; (ii) Democracy and Peoples participation; (iii) Local Government Institutional Frameworks and Systems; (iv) Service Delivery and Financing; and lastly the consultant will produce a synthesised final summary report on the pertaining situation, findings and recommendations.
- vii. **Collaboration:** The evaluation will be managed through an inter-agency Technical Committee coordinated by National Planning Authority. The inter agency committee will be responsible for making recommendations on the approaches, methodologies and reports for NPA Executive Authority for approval.

3.2 Deliverables

- i) **Inception report:** The consultants will deliver an **inception report** 3 weeks after signing the contract, clearly outlining the interpretation of the terms of reference, including approaches, methodologies, main evaluation questions, etc.

Part 4: Contract

- ii) **Interim evaluation reports.** The consultants will be required to submit the interim evaluation report to the Executive Director National Planning Authority, in soft and hard copy, on the recommendation of the inter agency steering committee.
- iii) **Main evaluation reports.** The consultants will be required to submit the final evaluation report to the Executive Director National Planning Authority, in soft and hard copy, on the recommendation of the inter agency steering committee and approval of the NPA Executive Authority.
- iv) **Data and materials for the Evaluation.** Data collection tools, databanks and data sets developed out of both primary and secondary data collected and analysed. The databanks, data sets and other materials and information collected and used in the evaluation will be handed over to the Executive Director National Planning Authority at the end of the exercise, for safe custody and future reference.

4. Specific Terms of Reference and Qualifications for the International Consultants

The evaluation will be undertaken by a joint team of international and national consultants. The international team will provide the lead consultant and three other specialists in the areas of: decentralization policy, legal and regulatory frameworks; local government institutional frameworks and systems; democracy and people's participation; and local government service delivery and financing. The lead consultant will also lead a thematic area. The national team will comprise local counterparts in the respective areas, including a statistician/programmer and a gender specialist. The international consultants will be the team leaders of all the 4 thematic areas.

4.1 Decentralization policy, legal and regulatory frameworks

4.1.1 Qualifications and experience:

Qualification

A minimum of a master's degree in a legal field, Social Sciences or a closely related field from a reputable University. A PhD in a relevant discipline will be an added advantage.

Experience

- The Consultant should have a minimum of 10 years working experience in the thematic area of decentralization policy, legal and regulatory frameworks
- Demonstrated experience in developing draft Laws, regulations and other Government documents;

Part 4: Contract

- Working experience with governments, donors, non-government and international development organizations is preferable;
- Should be aged 40 to 75 years.

Abilities

- Should have excellent analytical skills, communication, report writing, presentation;
- Demonstrated capacity for strategic thinking and working independently;
- Ability to work in a team; and
- Drafting high quality documents under pressure.

4.1.2 Specific Terms of Reference

The consultant, supported by a national consultant will focus on evaluation of the decentralisation policy, legal and regulatory framework thematic area. The consultant will:

1. Collect and analyse available data and other documentation regarding the decentralization policy, legal and regulatory frameworks in the country;
2. Assess the effectiveness and impact of the existing policy, legal and regulatory framework within which the decentralization programme has been implemented;
3. Undertake reviews and report on the successful decentralisation models and best practices regarding the policy, legal and regulatory frameworks
4. Assess the extent of implementation of the policy, legal and regulatory reforms aimed at achieving the decentralisation objectives;
5. Identify Policy, legal and regulatory framework barriers and gaps to successful implementation of decentralisation in Uganda.
6. Make recommendations for strengthening the decentralisation policy, legal and regulatory frameworks with a view to achieve intended reform objectives.

4.2 Democracy and people's participation

4.2.1 Qualifications and experience:

A minimum of a Post Graduate degree in Democratic Governance, Human Rights or a closely related field from a reputable University. A PhD in a relevant discipline will be an added advantage.

Experience

- The Consultant should have a minimum of 10 years working experience in the thematic area of democracy and people's participation;

Part 4: Contract

- At least 5 years of experience carrying out research in the fields related to constitutionalism, decentralization and human rights or other related fields;
- Working experience with governments, donors, non-government and international development organizations is preferable; and
- Should be aged 40 to 75 years.

Abilities

- Should have excellent analytical skills, communication, report writing, presentation;
- Demonstrated capacity for strategic thinking and working independently;
- Ability to work in a team; and
- Drafting high quality documents under pressure.

4.2.2 Specific Terms of Reference

The consultant, supported by a national consultant will focus on evaluation of the democracy and peoples' participation thematic area. The consultant will:

1. Collect and analyse available data and other documentation regarding the democracy and people's participation in the country
2. Assess whether putting powers in the hands of the local councils enabled better response to the needs of the people within communities.
3. Assess the extent of increased local democratic control and participation in decision-making
4. Establish the extent of citizens' participation in electoral and non-electoral reforms, including awareness about the services and opportunities offered by decentralization
5. Undertake reviews and report on the successful decentralisation models and best practices with respect to democracy and people's participation
6. Examine the limiting factors/ gaps hindering democracy and people's participation under decentralisation.

4.3 Local government institutional frameworks and systems

4.3.1 Qualifications and experience:

A minimum of a Post Graduate degree in Decentralisation Institutional Development or a closely related field from a reputable University. A PhD in a relevant discipline will be an added advantage.

Experience

- The Consultant should have at least 10 years working experience in the area of decentralisation institutional development or local government policy development and implementation.

Part 4: Contract

- Demonstrated experience in evaluation of decentralisation policies and reforms
- Working experience with governments, donors, non-government and international development organizations is preferable;
- Should be aged 40 to 75 years.

Abilities

- Should have excellent analytical skills, communication, report writing, presentation;
- Demonstrated capacity for strategic thinking and working independently;
- Ability to work in a team; and
- Drafting high quality documents under pressure.

4.3.2 Specific Terms of Reference

The consultant, supported by a national consultant, will focus on evaluation of the thematic area on local government institutional framework. The consultant will:

1. Collect and analyse available data and other documentation regarding the country's local government institutional framework
2. Analyse the existing institutional frameworks and systems, with a view to benchmark them to international best practices
3. Assess the design of institutional structures and arrangements and clarify the appropriate roles, responsibilities, staffing needs and funding sources.
4. Assess the efficiency and effectiveness of LGs in the delivery of decentralized mandates, functions and social services and recommend appropriate institutional frameworks and systems

4.4 Local government service delivery and financing

4.4.1 Qualifications and experience:

A minimum of a Post Graduate degree in Fiscal Decentralisation or a closely related field from a reputable University. A PhD in a relevant discipline will be an added advantage.

Experience

- The Consultant should have 10 years working experience in the area of fiscal decentralisation and or LG service delivery policy making and oversight;

Part 4: Contract

- Demonstrated experience in evaluating decentralised service delivery systems;
- Working experience with government, donors, non-government and international development organizations is preferable; and
- They should be aged 40 to 75 years.

Abilities

- Should have excellent analytical skills, communication, report writing, presentation;
- Demonstrated capacity for strategic thinking and working independently;
- Ability to work in a team; and
- Drafting high quality documents under pressure.

4.4.2 Specific Terms of Reference

The consultant, supported by a national consultant, will focus on evaluation of the LG service delivery and financing in the country. The consultant will:

1. Collect and analyse available data and other documentation regarding the country's LG service delivery and financing;
2. Analyse the existing financing policies, frameworks and modalities, with a view to benchmark them to international best practices;
3. Recommend appropriate fiscal decentralization arrangements for sustainable delivery of devolved services;
4. Identify factors that constrain faster local economic development and make recommendations for improvement.

5. Specific Terms of Reference and Qualifications for the National Consultants

5.1 National Thematic Area Consultants

The 4 national consultants will assist / support the international consultants in undertaking thematic based evaluations. The national consultants will be required to have minimum of a post graduate degree in areas similar to the respective international consultants. The national consultants should have at least 8 years working experience in the respective thematic areas. The national consultants should be aged between 35-65 years.

Part 4: Contract

5.2 Gender Specialist

5.2.1 Qualifications and experience:

A minimum of a Post Graduate degree in gender studies, human rights, social sciences or related field. A PhD in a relevant discipline will be an added advantage.

Experience

- A minimum of 8 years of working experience on gender and policy development related issues preferably in advising governments and or institutions on gender policy, gender equity and women`s empowerment;
- Thorough understanding of the gender context in Uganda;
- Working with international or non-governmental organizations supporting gender and development work; and
- Experience in gender planning.

Abilities

- Should have excellent analytical skills, communication, report writing, presentation;
- Demonstrated capacity for strategic thinking and working independently;
- Ability to work in a team; and
- Drafting high quality documents under pressure.

5.2.2 Specific Terms of Reference

The gender specialist will:

- Undertake a gender analysis and ensure greater attention to gender issues by providing the necessary gender perspectives, rationales and advice on approaches to support and promote gender mainstreaming throughout the evaluation of the decentralization policy processes;
- Assess and identify potential gender differentiated impacts of the decentralisation reform; and
- Support the International and National consultants in the respective thematic areas.

5.3 Statistician / Programmer

5.3.1 Qualifications and experience

A minimum of a Post Graduate degree in Statistics (Statistical Computing) or Computer Science (Software development). A PhD in these fields will be of added advantage.

Experience

Part 4: Contract

- Should have at least 5 years of relevant experience in programming and data analysis;
- Should have a broad knowledge of research and impact evaluation methods,
- Strong ability to clean, debug, and analyze complex datasets that link data from a variety of sources.
- Extensive knowledge and demonstrated use of database management tools such as Access, SQL, SAS, SPSS, STATA and Excel required;
- Experience in training and mentoring data entrants and analysts.

Abilities

- Should have excellent analytical skills, communication, report writing, presentation;
- Demonstrated capacity for strategic thinking and working independently;
- Ability to work in a team; and
- Drafting high quality documents under pressure.

5.3.2 Specific Terms of Reference

The consultant will be in charge of developing data analysis software, manage data entry, analysis and presentation of findings. The consultant will specifically:

1. Undertake analysis of available data and information to inform the evaluation process;
2. Develop a database(s) to facilitate data analysis and archiving;
3. Provide guidance during design of data collection tools for the evaluation;
4. Supervise data entry and train data entry clerks;
5. Ensure correct interpretation of the data analysis;
6. Provide secondary data required for the evaluation; and
7. Participate in drafting of reports.

6.0 Operational Structure and Management

6.1 Operational Structure

The evaluation will be undertaken by a team of international and national consultants. The consultants will be procured through international competitive bidding procedures as provided for the Public Procurement and Disposal of Public Assets (PPDA) regulations. The best evaluated international bidders will be expected to work with the best evaluated national bidders for the respective thematic areas.

The evaluation will be managed through an inter-agency Technical Committee coordinated by the Executive Director of the National Planning Authority. The other institutions comprising the inter-agency Technical Committee include: Ministry of Local Government (MoLG); Office of the Prime Minister (OPM); Office of the

Part 4: Contract

President; Ministry of Gender, Labor and Social Development; Ministry of Finance, Planning and Economic Development (MFPED); Uganda Bureau of Statistics (UBOS); Bank of Uganda; The Local Government Finance Commission (LGFC); The Uganda Local Government Authorities Association (ULGAA); Economic Policy Research Centre (EPRC); Private Sector Foundation of Uganda (PSFU); The NGO Forum and the Local Development Partners Group.

a. Timing and reporting

This evaluation is expected to take a duration of 4 months. The consultants will be responsible to the Executive Director of National Planning Authority. The day to day management will be done by the Head Monitoring and Evaluation and quality assurance will be undertaken by the inter agency technical committee, which will in turn report to the NPA Executive Authority.

7. Payment modalities

Payments will be made in three instalments, in line with the contract agreement as follows;

- i. 30 per cent upon production and approval of an inception report
- ii. 30 percent upon production of an acceptable draft report
- iii. 40 percent upon production and approval of the final report and other deliverables herein specified

8. Application procedure

Applicants are required to submit both the technical and financial bids/proposals.

8.1 The technical Proposal/Bid

This will include the following:

- Eligibility requirements as provided for in the PPDA standard bidding documents
- Profile of the Consultant
- Understanding of study objectives, proposed approach and methodology
- Qualifications and experience
- Estimated duration for the assignment
- Implementation Schedule and
- Current address of former employer (s) who may be contacted by NPA

8.2 Financial Proposal

- The Financial Proposal should include the estimated cost for undertaking the assignment, covering the Consultant's costs such as professional fees, travel costs, holding of meetings/discussion, production of the report, etc.

Part 3: Contract

Section 5: General Conditions of Contract

Any resulting contract shall be subject to the Government of Uganda General Conditions of Contract (GCC) for the Procurement of Consultancy Services (available on request) except where modified by the Special Conditions below.

Section 6: Special Conditions of Contract

Procurement Reference Number: **NPA/Srvcs/16-17/00050**

The clause numbers given in the first column correspond with the relevant clause number of the General Conditions of Contract.

GCC clause reference	Special Conditions of Contract
Eligible Countries GCC 1.2 (e)	All countries are eligible, unless as a matter of law or official regulation, the Government of Uganda prohibits commercial relations with that country or by an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, the Government of Uganda prohibits any import of Supplies from that country or any payments to persons or entities in that country.
Authorised Representatives GCC 4.4	The Authorised Representatives are: For the Procuring and Disposing Entity: Executive Director for the Consultant: _____
Governing Law GCC 5.1	The Contract shall be governed by the Laws of Uganda.
Notices GCC 7.1	For notices , the Procuring and Disposing Entity's address shall be: Attention: Executive Director Street Address: National Planning Authority Floor/Room number: P.O Box 21434 Town/City: Kampala Uganda P. O. Box: Country: Uganda Telephone: +256 414 250214 Facsimile number: +256 414 250213 Electronic mail address: npa@npa.ug For notices , the Provider's address shall be: Attention: _____ Street Address: _____ Floor/Room number: _____ Town/City: _____ P. O. Box: _____ Country: _____ Telephone: _____ Facsimile number: _____

Part 4: Contract

GCC clause reference	Special Conditions of Contract
	Electronic mail address: _____
Commencement GCC 8.1	The Consultant shall commence the Services within 2 working days after the date of the Contract.
Dispute Resolution GCC 17.2	The formal mechanism for dispute resolution shall be the Arbitration and Conciliation Act Cap 4 of the Laws of Uganda.
Completion Period GCC 18.1	The period for the completion of the Services shall be: The Four Calendar months
Payment GCC 22.1	The Contract is a Lump Sum Contract.
Payment Documentation GCC 24.1	The following documentation shall be required to support invoices requesting payments: <ul style="list-style-type: none"> a. The Government of Uganda General Conditions of Contract. b. Special Conditions of this Contract c. The Terms of Reference d. Acceptable report(s) from the Provider, in the manner, style and at the times prescribed in the Special Conditions of this Contract e. Award letter f. Acceptance letter
Payment Schedule GCC 25.1	The payment schedule shall be: <ul style="list-style-type: none"> (i) 20 per cent upon production and approval of an inception report ; (ii) 30 per cent upon production of an acceptable draft report ; and report (iii) 50 per cent upon production of and approval of the final report and other deliverables herein specified.
Payment Period GCC 27.1	Payments shall be made by the Procuring and Disposing Entity within thirty days of receipt and certification of invoices accompanied by the supporting documents specified in GCC 24.1.
Insurance to be taken out by the Provider GCC 40.1	The Consultant shall take out and maintain the following insurance coverage: <ul style="list-style-type: none"> (i) Third Party motor vehicle: (ii) Third Party liability: (iii) Employer's liability and workers' compensation:

Part 4: Contract

GCC clause reference	Special Conditions of Contract
	(iv) Professional liability: (v) Loss or damage to equipment and property: (vi) Other:

Section 7: Agreement

**Agreement
For Lump Sum/Time Based Contracts**

Procurement Reference No: _____

THIS AGREEMENT made this _____ day of _____, _____,
between _____ of _____
(hereinafter called "Procuring and Disposing Entity"), and _____ of _____
_____ (hereinafter called "the Consultant").

WHEREAS

- (a) the Procuring and Disposing Entity has requested the Consultant to provide certain consultancy services (hereinafter called the "Services") as defined herein and attached to this Contract;
- (b) the Consultant having represented to the Procuring and Disposing Entity that it has the required professional skills, personnel and technical resources, has agreed to provide the Services on the terms and conditions set forth in this Contract.

NOW THEREFORE the parties hereto agree as follows:

- 1. The documents forming the Contract shall be as stated in and in the order of priority stated in the General Conditions of Contract.
- 2. The mutual rights and obligations of the Procuring and Disposing Entity and the Consultant shall be as set forth in the Contract, in particular:
 - (a) The Consultant shall carry out the Services in accordance with the provisions of the Contract; and
 - (b) the Procuring and Disposing Entity shall pay the Consultant the Contract Price of _____ or such other sum as may become payable under the provisions of the Contract, at the times and in the manner prescribed by the Contract.

IN WITNESS WHEREOF, the Parties hereto have caused this Contract to be signed in their respective names as of the day and year first above written.

Signed by _____ (Authorized Representative of the Procuring
and Disposing Entity)

Name: _____ Position: _____

Part 4: Contract

In the presence of:

Name: _____ Position: _____

Signed by _____ (Authorized Representative of the
Consultant)

Name: _____ Position: _____

In the presence of:

Name: _____ Position: _____