



<b>DATE OF ISSUANCE</b>	19 <sup>th</sup> October 2015
<b>REFERENCE #</b>	Request for Proposals (RFP)
<b>ORGANIZATION</b>	Pact Inc. South Sudan Country Office
<b>PROJECT NAME</b>	Access to Justice
<b>EXPECTED TYPE OF AWARD</b>	Firm Fixed Price Contract
<b>AWARD NUMBER</b>	TBD
<b>Closing Date For Receiving Application</b>	15 <sup>th</sup> November 2015

Dear Offeror,

Pact is Requesting for Proposal (RFP) for the final evaluation of its four years Access to Justice (A2J) program, implemented since November 2011 in Budi, Ikotos and Torit of Eastern Equatorial State; Renk, Nasir and Malakal of Upper Nile State and Akobo and Bor of Jonglei State, funded by the U.S. State Department, Bureau for International Narcotics & Law Enforcement Affairs.

**General details:**

- **Project Location:** Budi, Ikotos, Torit and Nimule of Eastern Equatorial State; Juba, and Terekeka of Central Equatoria State, Rumbek and Awerial of Lakes State and Kuajok and Twic of Warrap State.
- **Type of Award:** Fixed Price Contract  
*Note:* Payment will be based upon the successful completion of agreed upon deliverables at a fixed rate, regardless of the number of days worked. Applicants should carefully estimate the time it will take to complete the work and the resources needed to conduct the activities. No advances will be given.
- **Period of Performance:** 30 Days maximum, estimated start in 30<sup>th</sup> November, 2015 - see page 9 for more information on proposed days.
- **Submission of Questions:** Pact will answer any questions submitted by November 10, 2015, and will provide assistance in understanding the requirements of this RFP. All questions must be sent to [rjdoar@pactworld.org](mailto:rjdoar@pactworld.org) and cc: [yjacobs@pactworld.org](mailto:yjacobs@pactworld.org) ; [tenderssouthsudan@pactworld.org](mailto:tenderssouthsudan@pactworld.org). Questions will be answered through e-mail by the November 10, 2015. No questions will be answered by phone.
- **Submission of Proposals:** Submitted proposals must be written in English. The proposal must be submitted in two parts: 1) Technical Proposal of 20 pages maximum including annexes and 2) Cost Proposal in Excel spreadsheet. Proposals can be submitted electronically to [tenderssouthsudan@pactworld.org](mailto:tenderssouthsudan@pactworld.org) or in hard copy & digital copy (on CD-ROMs) to the address below. The deadline for submission is Tuesday, 15<sup>th</sup> November 2015.

**Pact Sudan Juba Office:** Mr. Awad Steward, Grants Coordinator,  
Tong Piny Area, next to the Turkey Embassy  
Juba, South Sudan

**This RFP is comprised of the following sections:**

*Section 1:* Instructions for Submission

*Section 2:* Terms and Conditions

*Section 3:* Requirements, Evaluation & Basis of the Award

*Section 4:* Scope of Work

## Section 1: Instructions

All proposals must be submitted in two packages, 1) Technical Proposal and 2) Cost Proposal. If submitted in hard copy, you must have them separated and also include a digital copy (on a CD-ROM). If submitting electronically only, please ensure they are in separate files.

For the technical proposal, Offeror must submit all the required documentation mentioned below, with the different documents being separate and clearly labeled.

Any proposal that does not have all of the required information below will be automatically eliminated.

**Technical Proposal:** The technical proposal should include the information listed below. Please note that there is an added requirement for companies- please see the last requirement.

- **Cover Letter:** Should outline interest, organization's capacity, experiences and availability.
- **Methodology and Work Plan:** Three (3) pages outlining a suggested methodology suitable for the context in South Sudan and also indicating the timeframe. Please see section four (4) Scope of Work for more information.
- **Past Performance:** Maximum of three (3) pages describing similar work completed in the past three (3) years. This can either be as a list or CV format.
- **References:** At least two (2) references should be given, including the name of the client and name of the client's contacts, including phone number, email, and address.
- **Bio data form:** For individuals, a completed bio data form. A format can be requested at [rjdoar@pactworld.org](mailto:rjdoar@pactworld.org).
- **Work Sample:** Please include a brief sample (not more than 5 pages) of your written work undertaken during a recent similar type of activity.
- **For Companies Only: Registration and Audit Reports:** If this is a company that is choosing to apply, please ensure to include registration certificate, previous performance certificates and details of audit reports for the last 2 years. Individuals are not required to do so.

**Cost Proposal:** This should include the consultant's daily rate and the full costs associated with carrying out the assessments including the costs of items Pact will help facilitate as outlined below. The applicant's monetary quotations for the proposed work under this RFP will be fixed and expressed in **United State Dollars** inclusive of all costs, taxes, and profit. We also expect that all costs associated with travel for data collection; flights to the field etc. are included. However, Pact will pay directly for the following expenses:

- International travel e.g. flights to and from Juba and home station
- Visa and permits
- Accommodation in South Sudan
- All domestic travel associated with the assessment and evaluation
- Mobile phone airtime

In addition, Pact will support by making travel arrangements and organizing community or stakeholder meetings, but the consultant should include in his/her cost proposal any cost that is likely to be incurred for travels, per diem, hotels and translators. The applicants must confirm that they have financial resources to complete the scope of work (SOW). No advances will be given. The consultant shall be responsible for the following, without exception:

- Laptop computer
- Mobile phone
- Medical and any other insurance

*Disclaimer:* Pact reserves the right to cancel this RFP at any time or to make no award under it or to amend the terms and conditions applicable to it. All proposals are submitted at the sole cost and expense of the applicants. Pact does not take any liability of any kind whatsoever with regard to this RFP or the making or failure to make an award hereunder.

## **Section 2: Terms and Conditions**

### **A. General Conditions**

- Proposals must be in strict accordance with the technical specifications contained herein.
- Under no circumstances will Pact supply any form of transport or provide for any relative costs during the drafting of any proposals.
- The prices proposed by the applicants will be considered fixed regardless of currency fluctuations.
- Successful applicants will be issued with a firm fixed price contract containing Pact's standard terms and conditions, including provisions concerning warranties, suitability of work and materials, and assurances and representations. No work will be authorized in absentia for a fully signed contract between Pact and the successful applicants.
- Any attempt by an applicant to influence Pact, outside of the instructions set forth in this RFP, in the process of examination, clarification, evaluation and comparison of proposals, or to obtain information on how the procedure is progressing, or to influence Pact in its decision concerning the award of a Contract hereunder, will result in the immediate rejection of that applicants proposal.
- Pact reserves the right to cancel this RFP at any time or to make no award under it or to amend the terms and conditions applicable to it. All proposals are submitted at the sole cost and expense of the applicants.
- This solicitation in no way obligates Pact to award a contract, nor does it commit Pact to pay any costs incurred in preparation and submission of a proposal in response hereto.
- At its discretion, Pact reserves the right to request applicants to revise their proposals.
- In reference to ADS 202.3.9.1 and 202.3.9.3, it is Pact's responsibility to ensure that this procurement process is conducted in an ethical manner and that no conflict of interest (COI) situations jeopardize that. If an applicant identifies a potential COI situation, they should report it immediately to Pact. Any potential COI not reported and discovered by Pact or any ethical breach of the procurement process as outlined in this RFP, will result in a disqualification of a partner.

### **B. Paying Office**

All requests for payments, technical guidance and receipt of submission of deliverables will be done through the Pact Juba Office.

## **Section 3: Requirement, Evaluation, and Basis for the Award**

Proposals will be reviewed in three stages as described below.

### **A. Meeting the initial criteria:**

Applicants must meet the minimum criteria in order to be seriously considered. Proposals will be screened to see if they initially meet the criteria below.

- Minimum of 3 years field experience in the region (Eastern Africa, Sudan, South Sudan, Uganda and Somalia, etc.).
- All of the correct information described in Section 2 of this RFP, including, but not limited to, (cover letter, CV, references, methodology design, work-plan, budget, etc.).

**B. Technical Evaluation:**

- Those that do not meet the criteria will be automatically disqualified.
- The applicant's proposal shall be evaluated to determine overall technical capability to effectively implement the project. Proposals will be evaluated according to the criteria stated herein. The relative importance of each individual criterion is indicated by the number of points assigned and a total of 100 points are the maximum possible score for each proposal. The evaluation criterion is listed below, with a description of how each will be assessed.

Evaluation Criteria	Assessment criteria	Max Points
<b>Responsiveness to the RFP</b>	Has demonstrated understanding of the SOW and is responsive to the key evaluation questions in the RFP.	15
<b>Experience in conducting evaluations.</b>	Demonstrated experience in the execution evaluations of at least 2 projects of similar nature and complexity during the last 5 years. Has work experience in the African context particularly experience in South Sudan or Sudan	15
<b>Evaluation Methodology and Work Plan</b>	Quality and appropriateness of the methodology and work-plan demonstrated	20
<b>Qualifications Of The Offeror</b>	<ul style="list-style-type: none"> <li>• Must be a professional with academic training, be very familiar, at the senior level, with peace building projects as actually implemented in ongoing conflict and conflict situations and fragile states.</li> <li>• Knowledge of evaluation methods and techniques (qualitative and quantitative preferably).</li> <li>• Experience in conducting evaluations in the sector of peace building and reconciliation.</li> <li>• Must speak and write English fluently.</li> </ul>	15
<b>References</b>	Reference of past performance from clients served by the firm/consultant.	15
<b>Cost evaluation</b>	<p>Evaluation of the cost of the entire work mentioned in the proposals will be considered against, but not be limited to, the following: realistic nature of the costs, completeness of costing and supporting justification, and total budget. Quotation details will be evaluated on the basis of reasonableness, applicability, and conformity to financial standards and on the following considerations:</p> <ul style="list-style-type: none"> <li>• Are the proposed costs and overall budget consistent with the various elements of the applicant's technical proposal?</li> <li>• Are the proposed costs and overall budget realistic for the work to be performed under actual purchase order?</li> <li>• Do the proposed costs and overall price reflect a clear understanding of the work requirements?</li> </ul>	20

<b>Total Points</b>	<b>100</b>
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**C. Basis of Award:**

- Pact will make the award to the applicant, whose proposal presents the best value to the project, considering both technical merits and project cost factors. If the situation arises whereby no suitably qualified applicant is found, Pact reserves the rights to re-advertise the solicitation.

**I) BACKGROUND OF THE EVALUATION OF THE PROJECT**

Beginning November 2011, Pact with funding from the U.S. State Department, Bureau for International Narcotics & Law Enforcement Affairs implemented its Access to Justice Project in South Sudan. The initial goal of the project was to increase citizens’ access to justice in 6 rural counties in South Sudan that included Budi and Ikotos in Eastern Equatoria State, Pibor and Akobo in Jonglei State and Renk and Nasir in Upper Nile State.

The pilot phase of the program implemented from November 2011 to December 2012 was implemented in Budi and Ikotos of Eastern Equatoria State; Pibor and Akobo of Jonglei State; and Renk and Nasir of Upper Nile State. This pilot phase of the project was evaluated by an external evaluator and its report shared with relevant stakeholders in January 2013.

After the evaluation of the pilot phase of the project in 2013, Torit, the capital of Eastern Equatoria State; Malakal, the capital of Upper Nile State and Bor, the capital of Jonglei State were added to the project’s programming whilst Pibor was excluded due to persistent insecurity in the area. The project was implemented in Budi, Ikotos and Torit of Eastern Equatorial State; Renk, Nasir and Malakal of Upper Nile State and Akobo and Bor of Jonglei State.

Following the outbreak of a violent conflict in South Sudan in December 2013, Pact in consultation with INL redesigned the project and as a result implementation of the project was suspended in Jonglei state (Bor and Akobo counties) and Upper Nile state (Malakal, Nasir and Renk counties). Also as a result of the redesign, new locations which includes Nimule in Eastern Equatoria State, Juba and Terekeka in Central Equatoria State; Rumbek and Awerial in Lakes State; and Kuajok and Twic in Warrap State were included in June 2014 as new target areas of the project. Baseline assessment was carried out in the new locations.

The evaluation will cover locations targeted before and after redesign, all of which named above – see page 2.

The goal and objectives of the project before the redesign is;

**Goal:** In three years rural citizens from five counties are able to access justice services that can provide remedies to their legal problems.

**Objective 1:** Rural citizens in five counties are aware of their legal rights and duties;

**Objective 2:** Rural citizens in five counties are accessing legal assistance;

**Objective 3:** Indigent individuals accused of serious crimes are provided with legal aid in three state capitals and five counties;

**Objective 4:** Civil society organizations are more effective access to justice actors;

**Objective 5:** Justice services providers, including customary law courts and statutory courts, are providing citizens with effective legal remedies in five rural counties.

**Objective 6:** Rule of law actors, including police, prosecutors and prisons, in five rural counties receive increased support to carry out their core functions;

**Objective 7:** National level policy makers and donors have access to knowledge gained from research on rural justice issues to inform and strengthen reforms to the legislative framework, policies and programming.

The goal of the project after the redesign was reviewed with the revised and current goal of the project- ***Citizens in 6 counties and 4 state capitals are able to access justice services that can provide remedies to their common legal problems.***

The main objectives of the project after the redesign;

**Objective 1:** Citizens in six rural counties and four state capitals are aware of their legal rights and duties.

**Objective 2:** Citizens in six rural counties and four state capitals, including indigent individuals accused of serious crimes are provided with legal aid.

**Objective 3:** Local and national level policy makers and donors have access to knowledge gained from research on rural justice issues and implementation of the program to inform and strengthen reforms to the legislative and policy framework.

Pact, working closely with its local partners' non-governmental organizations, has been implementing activities in the six rural counties and four state capitals in order to achieve these objectives and ultimately increase citizens' access to justice in those locations by;

1. Raising citizens' legal awareness through various means that include radio programs, drama/theatre, community dialogues, pamphlets and leaflets.
2. Establishing legal aid clinics, training paralegals and providing pro bono legal services through legal aid attorneys and the paralegals network.
3. Publishing quarterly newsletters to share ideas and lessons learned with a view of influencing policy makers and programing decisions.

Pact seeks to engage an independent consulting firm or individuals to provide an independent assessment of the project's results, relevance, effectiveness, impact, and lessons learned with a view to informing future programming and the potential for further funding.

## **II) PURPOSE FOR EVALUATION**

The general purpose of this evaluation is:

- To assess whether the project met its objectives.
- To assess the impact of the project in the current locations of implementation
- To identify challenges encountered.
- To assess the sustainability of project outcomes.
- To identify lessons learned.
- Give recommendations for future programming

## **III) SCOPE OF THE EVALUATION**

Through discussions with a broad range of stakeholders including the citizens in Juba as well as during field visits, desk review, the Consultant selected to conduct the project evaluation (hereinafter, referred

to as the Consultant) shall address questions related to the effectiveness, impact, challenges, lessons learned and recommendations for future programs.

With regards to **effectiveness, combined with challenges and lessons learned**, the evaluation should assess whether the project reached its objectives and the effectiveness of project interventions in contributing towards those objectives. Among others the following questions should be addressed;

- Has the project achieved its targets and objectives as stated in the project documents?
- What factors contributed to the success and/or underachievement of each of the objectives?
- Assess the effectiveness of the services in meeting the needs of the target population identified in the project documents.
- Are there any specific lessons learned regarding the types and effectiveness of the services provided, including lessons that are sector-specific?
- What are the management strengths including technical and financial of this project?
- What monitoring systems does the project use for tracking the project achievements? Were they feasible and effective? Why or why not?
- What are good or promising practices in this project that are recommended for other projects?
- What are the main lessons learned from this project in the areas (but not limited to): increasing access to justice in rural communities, coordination and collaboration among stakeholders, awareness raising and its role in achieving project objectives, and policy and legislation development?
- To what extent has partner capacity building (training, mentoring, support etc.) resulted in gains in achieving program objectives?
- Has the project resulted in organizations being better positioned and equipped to champion legal, justice and human rights issues?

With regard to **impact, and sustainability, combined with challenges and lessons learned**, the evaluation should assess the positive and negative changes produced by the project – intended and unintended, direct and indirect. Among others the following questions should be addressed;

- What appears to be the project's impact, if any, on individual beneficiaries, partner organizations, rural communities, etc.?
- Assess the impact, to the extent possible, of project activities/ strategies on increased access to justice and improved justice practices on communities in the target areas?
- What appears to be the project's impact, if any, on partners or other organizations working on increasing access to justice in the country?
- Did the project's target groups experience any changes in their lives as a result of the program's interventions? Identify these changes.
- Identify the most important outcomes, lessons learned, or best practices that should be considered if there is an extension of the project and what should be avoided in order to improve implementation for future access to justice programs?
- How can the project be sustained in the future; what recommendations are available?
- Have community members absorbed the information on legal and human rights?
- Has there been change in behavior in targeted communities due to the impact of the program?

Finally, the consultants are asked to provide recommendations as to how the project may be developed in order to enhance its effectiveness, impact and sustainability.

In addressing the question results of project activity, focus should be kept on general effects, rather than on details of individual activities. More in particular, the evaluation should – by drawing on the sources of

information including stakeholders – make an informed judgment on the extent to which the project may have had a positive influence on promoting increase of citizen’s access to justice. Even when results may not yet have been attained, or may be impossible to definitely separate from effects of more general trends, the consultants shall endeavor to discuss the likelihood of them occurring as a result of the program. The discussion should also take into account and relate the project’s activities to the strides being made in the locations of implementation.

In describing the results and sustainability of the projects, examples may be used both for illustration and for proof. However, if they choose to use such material, the consultants should also present a view on how representative such examples are of the program in general.

#### **IV) STAKEHOLDER INVOLVEMENT**

Active stakeholder participation is crucial to the success of the evaluation process. The Consultant is expected to conduct a participatory evaluation providing for active and meaningful involvement by the project’s partners, beneficiaries, appropriate representatives of local authorities and relevant state ministries, national and international organizations, and other interested parties.

For information concerning the project and its implementation, the Consultant is expected to perform interviews with partner organizations and to review existing project documentation. Furthermore, the Consultant is expected to conduct field visits and interviews with a selection of representatives from the intended beneficiaries (both organizations and individuals).

#### **V) EVALUATION PROCESS**

**Timeframe:** The Evaluation is planned to last for 30 working days and must be completed by December 15, 2015. This period is inclusive of preparation, field visits, writing and revising/ finalizing the report. The consultant will prepare a timeline for approval by Pact.

**Evaluation Work Plan:** The Consultant will prepare a work plan for the evaluation, to operationalize and direct this exercise. The work plan will describe how the evaluation will be carried out, bringing refinements, specificity and elaboration to these Terms of Reference.

The Work Plan will address all the following reporting elements:

- Overview of the Access to Justice Project
- Roles and responsibilities
- Evaluation methodology
- Evaluation framework
- Overview of the data collection and field visits including which field sites and organizations will be visited
- Information collection and analysis
- Reporting
- Work scheduling

All evaluations involve some risks and assumptions that need to be addressed at the beginning of the process. In the Work Plan, the consultant shall list the risks that may be faced during the evaluation



process and the assumptions which may have an impact on the evaluation process, and propose alternatives for facing those risks.

**Field Visits:** Besides meetings in Juba and meetings with an appropriate range of stakeholders, preparation of the evaluation report will depend on multiple (number to be determined, but minimum three) field visits in order to meet and consult with Pact field personnel, local partners and the other Access to Justice project stakeholders as highlighted herein above. These visits will enable the Consultant to collect information in accordance with the requirements stipulated in the work plan of the evaluation. It is anticipated that the Consultant will take part in at least four (4) field visits. Pact personnel will be briefed on arrival and before departure from the field.

**Final Evaluation Report:** The Consultant will prepare a Final Evaluation Report that describes the overall evaluation process and presents the Consultant's findings, recommendations and lessons learned. The presentation of results will be intrinsically linked to the evaluation issues and will flow logically from the information collected.

## **VI) DELIVERABLES**

The two main deliverables (i.e., the Work Plan and the Evaluation Report) will be prepared and produced according to the following standards, for submission to INL by Pact after internal approval:

- Prepared in English
- Submitted by Pact simultaneously to INL, in electronic form via E-mail.
- Submitted in hard copy (number of hard copies to be determined)

**Work Plan of the Evaluation Report:** Two (2) copies (in hard copy format) will be submitted to INL for no-objection approval. Possible comments from INL will be discussed after receipt of the Work Plan.

**Logistics:** Pact will arrange for flights to the field, motor vehicles and fuel for overland trips and communication, but the consultant should include in his/her cost proposal likely to be incurred for flights to the fields, motor vehicle hire and communication. . In the field, Pact Community Development Officers will support the evaluation process by mobilizing partners, making local transport arrangements, and arranging for venues for interviews. The Community Development Officers will also identify translators when and if needed, but any cost involved will be covered by the consultant.

**Draft Evaluation Report:** The Consultant will submit a draft evaluation report for Pact within one (1) week of completing all planned meetings in Juba and the minimum of four (4) field visits. Pact submits the documents to INL for comments. Two (2) copies (in hard copy format) are to be submitted each to INL.

**Evaluation Report (maximum 40 pages including executive summary, excluding annexes):** Within one (1) week of receiving comments from INL on the draft version of the Final Evaluation Report, the Consultant will submit the Evaluation Report, including an Executive Summary. Two (2) copies (in hard copy format) will be submitted to INL.

Annexes, at minimum, should include:

- Terms of Reference;
- Data gathering instruments (observation guides, surveys, group discussion guides, etc.);
- Names and contact information of stakeholders met/interviewed (to the extent it does not violate considerations of confidentiality).

## **VII) APPLICATION INSTRUCTIONS**

### **Definition**

**Offeror:** The individual or firm providing proposals for the services requested under this advertisement.

### **Proposal Deadline and Requirements**

The Offeror shall submit a proposal addressing the terms and conditions below by 5:00 pm local time on Tuesday, 15<sup>th</sup> November 2015 to the name and address as provided in the Cover Page.

### **Qualification of the consultant**

The Final Evaluation will be carried out by one (1) senior consultant external to Pact. The senior consultant can be supported by a national or regional team assistance and if necessary support for translation to local South Sudanese languages, if needed.

The Consultant must possess the following qualifications:

- Must be from professional and academic background familiar, with Access to Justice Work in a conflict-front context.
- Should have experience in evaluation of access to justice programs implemented by community based organizations and civil society organizations.
- Should be very familiar with the context of South Sudan, or at the least with African countries in similar conflict situations.
- Knowledge about evaluation methods and techniques (qualitative and quantitative preferably).
- Experience of evaluations in the sector of governance, justice, peace-building or related sectors.
- Must speak and write English fluently. Knowledge of Arabic language will be an added advantage.
- Exceptional evaluation design, research methods and implementation skills (Essential).
- Exceptional drafting skills (Essential).
- Ability to work and adapt in difficult environments (Essential).
- Ability to work independently and with limited supervision (Essential).

**Past Performance References** - References should contain at least three relevant contracts over the last 2 years with a similar scope of the contracts along with contact information of your technical point of contact.

**Optional:** A set of relevant attachments to the proposal that further document or explain the Offeror's approach and qualification (e.g., institutional brochure, letters of reference, publications list, audit report statements, etc.).

**Offer Validity** - The Offeror's technical and cost proposals must remain valid for not less than 60 calendar days after the deadline specified above. Proposals must be signed by an official authorized to bind the Offeror to its provisions.

**Modification and Alterations**

Pact reserves the right, in its sole discretion, to modify the request, to alter the selection process in any way, to ask for additional information from Offerors, or to modify or amend the scope of the proposals submitted. Each Offeror acknowledges and agrees that the preparation of all materials for submission to Pact South Sudan and all presentations made by the Offeror are at the Offeror's sole cost and expense, and Pact Inc., shall not under any circumstances, be responsible for any cost or expense incurred by an Offeror. All documentation and /or materials submitted with a proposal shall become and remain the property of Pact Inc.

**Negotiations and Rejection**

As the award will be made solely on the basis of an Offeror's proposal. Pact Inc. reserves the right to request for responses, additional technical information, management and cost questions which would assist in negotiating and awarding a subcontract.

**Cancellation-** Pact reserves the right, in its sole discretion, to cancel this advertisement without any cost or obligation at any time. The release of this advertisement is not a commitment to award a contract.

**Representations and Certifications** - Prior to awarding a subcontract, the Offeror shall be required to sign certifications, as applicable, in accordance with Pact's policies.

**Paying office** -The paying office is: Pact Office South Sudan, Juba Office.