

Prot. No. AICSY-OUT- 3(A) - 2018-04-03

PROJECT: "SUPPORT TO THE ODA COORDINATION IN MYANMAR:
CAPACITY DEVELOPMENT OF DONOR COORDINATION (CAD-MM) – AID 11087"
CIG (BID CONTRACT IDENTIFICATION No.): 74443453D5

FIRST AMENDMENT TO SERVICE CONTRACT

Between

The Italian Agency for Development Cooperation – Yangon Office
(Hereinafter referred to as the “**Contracting Authority**”)

Represented by the Director Eng. Maurizio Di Calisto

And

Career Development Consultancy Company Limited
(hereinafter referred to as the “**Service Provider**”)

Represented by the Managing Director Ms. Thet Hnin Oo

(Hereinafter referred to as individually, the “**Party**”, and collectively, the “**Parties**”)

WHEREAS

With Decree n. 20 dated March 10, 2017, the Director of the Italian Agency for Development Cooperation authorized the allocation of funds for the Project: “Support to the ODA coordination in Myanmar: Capacity Development of Donor Coordination (CAD-MM) – AID 11087”;

As per the last version of the General Operational Plan, approved by the Italian Agency for Development Cooperation, the project foresees, among others, the provision of services (the “**Service**”) for the Technical Assistance in favor of the Coordination Partner Group (CPG) and related project activities;

With Decree n. 228 dated 10th April 2018, the Director of AICS Yangon (AICS-Y) authorized the commencement of the bidding process for the present Service;

AICSY on 10th April 2018 published on the website www.ambyangon.esteri.it the Invitation to Bid for the provision of “Technical Assistance Services for the project activities of the Italian Agency for Development Cooperation – AID 11087” – CIG 74443453D5 (rfr. AICSY-OUT- 229- 2018-04-10);

Career Development Consultancy Company Limited (CDC Co. Ltd.), the only bidder submitting an offer, passed the administrative requirements and the requested score in the evaluation procedure of the technical and financial offer for the execution of the Services;



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The offer submitted on 9th May 2018 by Career Development Consultancy Limited, an outsourcing Company, was considered adequate and in line with the needs of the Projects AID 11087;

A Contract was made between AICSY and CDC Co. Ltd. On the 05th June 2018;

The candidate selected by CDC Co. Ltd. declined, without prior notice, the job offer and The CPG was informed accordingly;

After an internal consultation, the CPG- Secretariat raised up new specific needs and priorities related to the technical features of the Services, notified by formal letter (AICSY-IN-331(A)-2018-08-20), requesting AICSY support in selecting a Junior full-time expert for a 10-month period in place of a Senior part-time one for a six months period;

Based on ART. 8 - PERSONNEL of the Contract (rfr. AICSY-OUT-367-2018-06-05), the Service Provider is entitled to submit a proposal for the replacement of the personnel deemed unsuitable for the approval of the Contracting Authority and whenever the termination is requested by the personnel the Service Provider has the duty to notify it to the Contracting Authority;

The Contract amount of Euro 58.300,00 remains unchanged;

Following the request from the CPG and based on the Article mentioned above, AICSY, after an internal assessment and for efficiency and effectiveness reasons, deemed more effective maintaining into force the contractual relationship with the selected bidder by extending the contract duration and requesting to submit a new offer compliant to the changed requirements of the assignment rather than open a new bidding process (re. Nota Tecnica dated 21/12/2018);

A request for contract extension (rfr AICSY-OUT- -892(A)-2018-11-21) and for a new quotation amended in accordance with the new Terms of Reference of the assignment was sent from AICSY to the selected bidder, CDC Co. Ltd. (rfr. AICSY-OUT-620-2018-08-30);

CDC Co. Ltd. formally accepted to extend the contract until 31st December 2019 (our ref.: AICSY-OUT-906(A)-2018-11-28) and to amend the Technical Offer and the Financial Offer in accordance to the updated Terms of Reference of the request for quotation (rfr. AICSY-IN-340-2019-09-03);

The new amended offer submitted on 28 December 2018 by Career Development Consultancy Limited, was considered adequate and in line with the new needs and requirements of the Service;

It raised up the need of amending the ongoing Contract;

THE PARTIES AGREE AS FOLLOWS

ART. 1 – SCOPE OF THE AMENDMENT

This First Amendment (“**Amendment**”) to Service Contract (rfr. AICSY-OUT- 367-2018-06-05) between the Italian Agency for Development Cooperation in Yangon (“**AICSY**”) and Career Development Consultancy Company Limited (“**CDC Co. Ltd.**”) is dated effective as of the later of 03/01/2019 or date fully executed by both parties (“**Effective Date**”) and is entered into by and between AICSY (the “**Contracting Authority**”) and CDC Co. Ltd. (the “**Service Provider**”).

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The Contracting Authority and the Service Provider entered into that certain Service Contract between AICSY and CDC Co. Ltd dated effective 05/06/2018 (the “Contract”).

1. The Contracting Authority and the Service Provider now desire to amend, and hereby amend, the terms of the Agreement as set forth below:

- “**ANNEX I - Terms of Reference**” is hereby amended and added to the Contract in its entirety and shall hereafter be and read as provided in “**ANNEX I – Terms of Reference**”, attached to this Amendment and incorporated for all purposes.
- “**ANNEX II – Technical Offer**” is hereby amended and added to the Contract in its entirety and shall hereafter be and read as provided in “**ANNEX II – Technical Offer**”, attached to this Amendment and incorporated for all purposes.
- “**ANNEX III – Financial Offer**” is hereby amended and added to the Contract in its entirety and shall hereafter be and read as provided in “**ANNEX III – Financial Offer**”, attached to this Amendment and incorporated for all purposes.
- “**ART. 2 - ACTIVITIES CARRIED OUT BY THE SERVICE PROVIDER**” of the Contract, is hereby amended to the Contract, and shall read as follows:

ART. 2 - ACTIVITIES CARRIED OUT BY THE SERVICE PROVIDER

The activities carried out by the Service Provider are described in Annexes I, II and III, which are an integral part of this Contract and where related costs are also specified. The days and hours of work of the Service’s Provider’s personnel shall respect the Myanmar laws, regulations and customs and shall comply with the requirements of the services.

While executing the Contract, the Service Provider will interact with the Contracting Authority providing regular updates to the Director of AICSY and to the expert designated by the Director for supervising the execution of the Contract.

Based on the tasks listed in accordance with the timeline indicated in the above-mentioned Annexes, the Service Provider will provide the following services and deliverables through its personnel/consultant:

- Support the CPG Development Cooperation Specialist and CPG facilitators in organizing CPG monthly meeting, including taking notes and disseminating relevant documents pertaining such meeting among the members of the CPG;
- Support the CPG Secretariat in facilitating communication and collaboration between CPs and central authorities in the thematic coordination fora organized by the Government, the Sector Coordination Groups (SCG). This may include: providing ad hoc support on cross-cutting issues relating to the 10 Sector Coordination Groups and the 3 non-Sector Coordination Groups; regularly updating the Sector Coordination Group status of operation. This will maximize the efforts of the stakeholders working together on the priority sectors identified by the Myanmar Government;

- Support the CPG Secretariat in facilitating strong and consistent communication between CPs, Government, Parliament, civil society, the private sector, INGOs and any other relevant stakeholders on issues that impact on or relate to development coordination and aid effectiveness in line with CPG concerns. Concerning the liaising with the Government, develop mapping of Government contacts and focal points – including Parliamentarians – relevant to CP coordination with Government on development effectiveness. This task may include the development of standard communication products;
- Support CPG Secretariat in coordinating their work and identifying common development policies, positions and messaging, including dedicated analysis as required;
- Support local and international monitoring processes to track development effectiveness commitments and progress, including that of the Global Partnership;
- In agreement with the CPG Secretariat, liaise closely with counterparts in Peace and Humanitarian coordination bodies and advise CPG on opportunities to strengthen coherence between development, peace and humanitarian assistance;
- Provide ad hoc support to specific CPG Workstreams;
- Encourage and support CPs in ensuring that the AID Information Management System (AIMS) and sector reports are updated regularly.
- Support the CPG Secretariat in the organization and management of CPG's meetings and other meetings with Myanmar institutions, including, but not limited, to:
 - CPG workstreams;
 - Government-led national development cooperation dialogues;
 - Development Assistance Coordination Unit (DACU) - CPG meetings;
 - Development Assistance Coordination Unit Working Group (DACU WG);
 - Foreign Economic Relations Department (FERD) - CPG meetings;
 - Workshops on specific priority issues such as Development-Humanitarian-Peace Nexus, Private Sector Engagement, 2030 Agenda/SDGs, etc., including appropriate budgeting required.
- Support to the production of analysis, research and concept papers;
- Support to the liaising activities between the Myanmar Government institutions and the CPG. Support the CPG in its activities related to the Prevention of Sexual Exploitation and Abuse (PSEA);
- Support the CPG Secretariat in following up the second edition of Development Effectiveness Roundtable (DER), a high-level meeting on development cooperation with Myanmar, to be organized by the Government in 2019.

2. Except as provided in this Amendment, all terms used in this Amendment that are not otherwise defined shall have the respective meanings ascribed to such terms in the Agreement.

See



3. This Amendment embodies the entire Contract between the Contracting Authority and the Service Provider with respect to the Amendment of the Contract. In the event of any conflict or inconsistency between the provisions of the Contract and this Amendment, the provisions of this Amendment shall control and govern.

4. Except as specifically modified and amended herein, all of the terms, provisions, requirements and specifications contained in the Contract remain in full force and effect. Except as otherwise expressly provided herein, the Parties do not intend to, and the execution of this Amendment shall not, in any manner impair the Contract, the purpose of this Amendment being simply to amend and ratify the Contract, as hereby amended and ratified, and to confirm and carry forward the Contract, as hereby amended, in full force and effect.

This Amendment shall be construed and governed by the applicable Italian Law.

IN WITNESS WHEREOF, the Contracting Authority and the Service Provider have executed and delivered this Amendment effective as of the Effective Date.

Yangon, 03/01/2019

Career Development Consultancy Company
Limited

The Italian Agency for Development
Cooperation – Yangon Office

The Managing Director

Ms. Thet Hnin Oo

The Director

Eng. Maurizio Di Calisto





THE UNIVERSITY OF CHICAGO
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Ufficio di Yangon

Project AID 11087 – CIG n. 74443453D5

Invitation to bid for Technical Assistance services for the project activities of the Italian Agency for Development Cooperation – AID 11087.

ANNEX I
GENERAL TERMS OF REFERENCE

1. BACKGROUND

Since 2013 Myanmar has been going through a process of developing a coordination mechanism with International Donors to have an effective management of Official Development Assistance (ODA) in the country and in January 2013 the first Myanmar Development Cooperation Forum (MDCF) between the Government of Myanmar and Bilateral and Multilateral donors was held. During the forum the Government of Myanmar presented the Framework for Economic and Social Reform (FESR) and the National Comprehensive Development Plan (NCDP) and the first Memorandum on development cooperation between the Myanmar Government and Development Partners (DPs), the Nay Pyi Taw Accord for Effective Development Cooperation (NPT-Accord), was signed. The NPT-Accord is aligned with the Busan principles regarding the Global Partnership and lists a number of mutual commitments for the Government of Myanmar and DPs in the area of development cooperation. The NPT-Accord also defined the first coordination mechanism between Government of Myanmar and DPs. In the following years the coordination mechanism has been restructured leading to its current organisation and to the establishment of the Cooperation Partners Group (CPG), the main forum for discussion and sharing of information regarding aid coordination and aid effectiveness. Current Work Streams include: CSO and INGO Liaison; Development Humanitarian Peace Nexus; Private Sector Development; Rakhine State Development; Development Assistance Policy-Development Effectiveness (DAP-DE); Urban Development; Governance (consisting of the following six stand-alone governance groups: Elections Support Group, Good Governance Group, Parliamentary Support Group, Public Administration Reform Group, PFM and Anti-Corruption Group, Rule of Law and Access to Justice Group). Moreover, Myanmar Government has established a new architecture for ODA management. First of all, a governmental oversight body, the Development Assistance Coordination Unit (DACU) was created. This unit assesses all initiatives to be funded through ODA and it follows the procedures of the *Development Assistance Policy*, whose implementation is ensured and supervised by the DAP Working Group (DAP WG), composed by the members of DACU, Partner in Development (PID) representatives from Civil Society Organizations (CSOs), International Non-Governmental Organizations (INGOs) and the private sector. In order to better dialogue with donors and implementing partners working in the priority development sectors for the government, a thematic coordination mechanism has been set up: *Sector Coordination Groups*

(SCG). This mechanism includes: the Joint Coordinating Body for Peace Process Funding (jointly with Ethnic Armed Organisations (EAO)); the Joint Coordinating Body for Rule of Law Centres and the Justice Sector and the following 10 SCG groups;

- Agriculture & Rural Development Sector Coordination Group
- Education & TVET Sector Coordination Group
- Energy & Electric Power Sector Coordination Group
- Environmental Conservation Sector Coordination Group
- Health Sector Coordination Group
- Job Creation Sector Coordination Group
- Macroeconomic Management Sector Coordination Group
- Nutrition Sector Coordination Group
- Social Protection & Disaster Management Coordination Group
- Transport & ICT Sector Coordination Group

These Bodies reflect the sectors and thematic/focus areas which the GoM has identified as priorities for development assistance and to which development assistance should be primarily targeted towards. SCG are led by Line Ministries and composed by personnel of relevant Ministries, Partner in Development (PID) representatives from Civil Society Organizations (CSOs), International Non-Governmental Organizations (INGOs) and the private sector

Moreover, 3 non-Sector coordination groups have been created:

- Yangon Urban Development;
- Statistical Quality Development;
- Gender Equality and Women's Development.

On February 26th 2018, the first *Development Effectiveness Roundtable* (DER), a coordination forum among the Government and all stakeholders involved in the development of the countries (including Private sector), was held. During this event, Myanmar Government has launched both the final version of the DAP and the first draft version of the *Myanmar Sustainable Development Plan* (MSDP), asking DPs to support Myanmar in its development in a coordinated manner.

Within this context the project "Support to the ODA coordination in Myanmar: Capacity Development of Donor Coordination (CAD-MM) – AID 11087" financed by the Italian Agency for Development Cooperation has the general objective to contribute to the improvement of ODA effectiveness in Myanmar within the Global Partnership framework. The specific objective of the project is to improve the ODA management capacities of Burmese institutions and the coordination among DPs and between DPs and the Government of Myanmar. More specifically, one of the project results aims to strengthen the CPG's Secretariat through Technical Assistance services.

With reference to this result, the Italian Agency for Development Cooperation in Yangon (AICS-Y) already provided Technical Assistance services to the CPG for a period of 6 months. At the end of this period an assessment has been done for checking if the local context had changed and for evaluating the services already provided. The CPG facilitators stated that the services provided were essential for the correct functioning of the coordination forum.

AICS-Y declared its availability in providing further Technical Assistance services for another 10-month period, as required by the members of CPG, who even confirmed the ToR.

Consequently, and in line with its commitments, AICS-Y will provide further Technical Assistance Services to the CPG.

2. INTRODUCTION

The AICS-Y seeks to establish a Contract to ensure provision of Technical Assistance services to the project activities of the Italian Agency for Development Cooperation – AID 11087, to strengthen the capacities of the CPG's Secretariat and to improve the coordination of the ODA in Myanmar. The Technical Assistance services will be based on the needs identified by AICS-Y and on the requests outlined by the CPG and the Government of Myanmar. The Contract is envisaged to start by October 2018 and services will be provided for a maximum of 10 months.

The duration of this contract is established in 10 months. By the end of this period AICS-Y will check the subsistence of the needs for CPG and MoPF-FERD, verifying also if the content and the organization of the requested TA competences persist in the form and duty set in this bid.

The total amount available under the contract is up to EUR 58,300.00 for the whole period of duration (10 months).

3. OBJECTIVE

The purpose of the Contract is to provide timely access to a range of high-quality Technical Assistance services within the project activities of the Italian Agency for Development Cooperation – AID 11087.

4. THE RECIPIENT

The CPG's Secretariat and the relevant coordination activities of the project with Local Authorities will be the principal recipient of the proposed Technical Assistance services.

5. SCOPE OF WORK

The Technical Assistance services include:

- Support to the organization and management of CPG's meetings and other meetings with Burmese institutions;
- Support to the production of analysis, research and concept papers;
- Support to the liaising activities between the Myanmar Government institutions and the CPG

A detailed description of tasks and assignment to be performed is listed in section 9.

This Technical Assistance will be included in the CPG's Secretariat framework, which is managed by a UNDP international staff (Development Cooperation Specialist - DCS). The detailed work plan will be agreed with the DCS, to ensure up to date alignment of tasks with the current CPG priorities. Therefore, all the above-mentioned tasks will be realized in previous agreement with the DCS.

6. CONTRACTUAL MECHANISM

The AICS-Y as Contracting Authority provides Specific ToR for the technical assistance service needed. A key requirement of the organization will be the ability to respond properly to the requested Technical Assistance services.

7. TIMING

The Contract will have a duration of 10 months.

8 REQUIREMENTS: PROFILE OF EXPERTS REQUIRED

The following categories of experts are required to provide the technical assistance services:

a) International Junior Expert.

The required terms of reference, requirement, and costs are the following:

- Education to Master's Degree level or above in Development, Economics, Political Science, International Relations or another suitable discipline.
- At least 2 years of work experience in the field of development cooperation; work experience on issues of aid coordination and effectiveness will be considered an asset;
- Fluency in spoken and written English.
- Prior development related work experience in Myanmar and good knowledge of the local context is an asset.

Language skills

Fluency in both spoken and written English.

9. TASKS AND ASSIGNMENT

The nature of this assignment means that work should be carried out as an integral part of the CPG secretariat, and under the supervision of UNDP international staff leading the Secretariat (the Development Cooperation Specialist – DCS), in response to the evaluation carried out by CPG about the Technical Assistance Services already provided. The expert will support the fulfilment of needs and gaps identified by the CPG through the Facilitators. The detailed work plan will be agreed with the DCS, the CPG Coordinator, to ensure up to date alignment of tasks with the current CPG priorities. In particular, the junior expert will support the DCS in following up policy, technical and operational issues that are raised by the Facilitators/Alternates on behalf of the CPG with institutional actors. The international junior expert is expected to approach the assignment in a flexible manner and be willing and able to carry out duties in response to requests from the CPG and Government. As such, these ToR do not seek to list every task that will need to be carried out but rather to provide a sample of the kinds of work that will be expected:

- i. Support the CPG Development Cooperation Specialist and CPG facilitators in organizing CPG monthly meeting, including taking notes and disseminating relevant documents pertaining such meeting among the members of CPG;
- ii. Support the CPG Secretariat in facilitating communication and collaboration between CPs and central authorities in the thematic coordination fora organized by the Government, the Sector Coordination Groups (SCG). This may include: providing ad hoc support on cross-cutting issues relating to the 10 Sector Coordination Groups and the 3 non-Sector Coordination Groups; regularly updating the Sector Coordination Group status of operation. This will maximize the efforts of the stakeholders working together on the priority sectors identified by the Myanmar Government;
- iii. Support the CPG Secretariat in facilitating strong and consistent communication between CPs, Government, Parliament, civil society, the private sector, INGOs and possible other actors on issues that impact on or relate to development coordination and aid effectiveness in line with CPG concerns. Concerning the liaising with the

Government, develop mapping of Government contacts and focal points – including Parliamentarians – relevant to CP coordination with Government on development effectiveness. This task may include the development of standard communication products;

- iv. Support CPG Secretariat in coordinating their work and identifying common development policies, positions and messaging. This will include the undertaking of dedicated analysis as required, for example on division of labour;
- v. Support local and international monitoring processes to track development effectiveness commitments and progress, including that of the Global Partnership;
- vi. In agreement with the CPG Secretariat, liaise closely with counterparts in Peace and Humanitarian coordination and advise CPG on opportunities to strengthen coherence between development, peace and humanitarian assistance;
- vii. Provide ad hoc support to specific CPG Workstreams. CPG Work Streams operate on a demand basis to reflect the strategic concerns and needs of Cooperation Partners. Current Work Streams include: CSO and INGO Liaison; Development Humanitarian Peace Nexus; Private Sector Development; Rakhine State Development; Development Assistance Policy-Development Effectiveness (DAP-DE); Urban Development; Governance (consisting of the following six stand-alone governance groups: Elections Support Group, Good Governance Group, Parliamentary Support Group, Public Administration Reform Group, PFM and Anti-Corruption Group, Rule of Law and Access to Justice Group). In particular, special support is needed for the functioning of the INGO - CSO Work Stream, through a close collaboration with the CP that leads this Work Stream. More Work Streams may be added, and others disbanded if they are no longer perceived by CPs to require a dedicated Work Stream.
- viii. Encourage and support CPs in ensuring that the AID Information Management System (AIMS) and sector reports are updated regularly.
- ix. Support the CPG Secretariat in the organization and management of CPG's meetings and other meetings with Burmese institutions, including, but not limited, to:
 - CPG workstreams
 - Government-led national development cooperation dialogues
 - Development Assistance Coordination Unit (DACU) - CPG meetings
 - Development Assistance Coordination Unit Working Group (DACU WG)
 - Foreign Economic Relations Department (FERD) - CPG meetings
 - Workshops on specific priority issues such as Development-Humanitarian-Peace Nexus, Private Sector Engagement, 2030 Agenda/SDGs, etc., including appropriate budgeting required
- x. Support to the production of analysis, research and concept papers;
- xi. Support to the liaising activities between the Myanmar Government institutions and the CPG Support the CPG in its activities related to the Prevention of Sexual Exploitation and Abuse (PSEA). The PSEA network was endorsed by Humanitarian Country Team in March 2018 and is comprised of focal points from UN, INGO and national organisations, which meet regularly.
- xii. Support the CPG Secretariat in following up the second edition of *Development Effectiveness Roundtable* (DER), a high-level meeting on development cooperation with Myanmar, to be organised by the Government in 2019. Among the items to be

followed up by the CPG, one of the most prominent is the implementation of the Myanmar Sustainable Development Plan, the development policy for the country whose draft version was released during DER.

The work of the international junior expert will be guided by the CPG Facilitators and, as mentioned above, will be supervised by UNDP international staff leading the Secretariat. The expert will therefore report to the Facilitators and to the Secretariat. The detailed work plan will be agreed with the DCS, the CPG Coordinator, to ensure up to date alignment of tasks with the current CPG priorities. Overall, the assignment is expected to support the successful roll out of the new CPG structure, the delivery of the Development Effectiveness Roundtable and overall improvements in CPs coordination both among themselves and with Government, which should lead to more effective aid to Myanmar.

The international expert will be contracted for 225 working days, 22,5 working days per month, over a period of 10 months. The monthly net salary amounts to EUR 3,960.00.

10. OTHER ASPECTS

If the expert is unable to meet the level of quality required for preparing the written outputs such as reports, the Organization/Bidder will provide, at no additional cost to the Contracting Authority, immediate additional support for these outputs to meet the appropriate standards.

The Specific ToRs define the expertise required to carry out the assignment. The expert requested must be proposed by the Organization/Bidder. The Specific ToR shall not discriminate any experts on the ground of their former or present nationality, gender, place of residence etc.

With reference to the technical evaluation, as the selection of the offer is mainly based on the CV of the expert proposed, the assignment is expected to be executed by this expert. As the expected date of mobilisation will be specified in the Contract, and as each expert will sign a Statement of exclusivity and availability, he/she will be obliged to remain available to start the assignment as foreseen and all through the assignment execution. The Statement of exclusivity and availability to be used is the latest form published in Technical Offer (Annex D). The Bidder/Contractor has also to take appropriate measure to ensure the availability of the expert all throughout the assignment. Failing so, the offer may be rejected, the award of the contract cancelled, and the contract may be suspended or terminated.

Amint ↑

Ufficio di Yangon

Project AID 11087 – CIG 74443453D5

Invitation to bid for Technical Assistance services for the project activities of the Italian Agency for Development Cooperation – AID 11087.

ANNEX II
TECHNICAL OFFER

Please complete the following form with accurate and reliable information.

As specified in the invitation to bid, the Technical Offer must be:

- stamped and signed by the Bidder or his duly authorized representative.

The Bid and all the possible other documents shall be in English language only.

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