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TERMS OF REFERENCE

for selecting experts

for the implementation of the “Consolidating the Consumer Protection Framework in Moldova” Project

1. Brief project description

Donors: European Commission and Soros Foundation Moldova

Implementation period: January 2024 – June 2026

Project total budget: EUR 784,285.00 EUR

AO Centrul Analitic Independent Expert Grup (further EG), as lead partner, in consortium with the Institute for European Policies and Reforms (further IPRE) and Soros Foundation Moldova, started in January 2024 the implementation of the EU Grant Contract “Consolidating the Consumer Protection Framework in Moldova” (project duration 30 months).

The general objective of the project: overall objective of the Action is that consumer rights are known and enforced in Moldova. It contributes to fulfilment of the global objective of this call for proposals to strengthen CSOs’ capacity in the process of implementation of the Association Agreement, including at local level, considering that consumer protection is a key component of the association agenda and European integration process. Namely, it corresponds to Lot 2 of the call: support implementing rights-based consumer protection through advocacy activities. It will be addressed by the Action through two complementary specific objectives (SOs).

Specific objectives (SO):

1. SO 1. Government of Moldova has increased its capacities to enforce consumer protection legislation approximated with the EU acquis - will follow the top-down approach by targeting the policy makers. It will consist mainly of technical assistance that will allow the Government to speed up the harmonization process with EU acquis in the area of consumer protection.
2. SO 2. Consumers in Moldova increased their knowledge and capacities to promote their rights – will follow the bottom-up approach, by empowering the mass-media and civil society to promote consumer protection and raise the level of information and awareness in the society around this issue.

The main activities of the project are:

- OP 1.1. Comprehensive mapping of institutions in the field of consumer protection;
- OP 1.2. Gap analysis between the current situation in Moldova related to consumer protection framework and EU directives in this field;
- OP 1.3. Set of recommendations for relevant institutions to adjust the legal framework in line with the mentioned gap analysis;
- OP 1.4. Software that allows for quick classification, sorting, and processing of petitions and, at the same time, allows consumers to track the status of their petition;

- OP 2.1. Awareness raising campaign on consumer protection;
- OP 2.2. 5 sub-grants for mass-media;
- OP 2.3. European Consumer Centre established based on the requirements of the EU Acquis and relevant Directives;
- OP 2.4. A subgrant of EUR 60,000 for the setting up of the European Consumer Center (mainly, for hiring of key personnel).

Target groups and final beneficiaries of the project:

The Action will be implemented for 3 key target groups (TGs).

TG1 comprises the Ministry of Economy and Digital Development and its subordinated State Inspectorate for Supervision of Non-Food Products and Consumer Protection, as well as the entire constellation of institutions responsible for consumer protection, given the high fragmentation of the institutional framework in this area (table nr 1).

Table 1. Main public authorities that are dealing with consumer protection

Sector	Main public authority responsible for consumer protection	Subordinated public authority responsible for consumer protection
Non-foodstuffs, services, metrology	Ministry of Economy and Digital Development	State Inspectorate for the Supervision of Non-Food Products and Consumer Protection
Health	Ministry of Health	National Agency for Public Health
Transport	Ministry of Infrastructure and Regional Development	National Motor Transport Agency National Naval Agency Civil Aeronautic Authority
Constructions	Ministry of Infrastructure and Regional Development	Agency for Technical Supervision
Telecommunications	Ministry of Infrastructure and Regional Development	National Agency for Regulation of Electronic Communications and Information Technologies
Tourism	Ministry of Culture	State Inspectorate for the Supervision of Non-Food Products and Consumer Protection
Non-banking financial sector	National Bank of Moldova National Commission for Financial Market	National Commission for Financial Market
Banking financial sector	National Bank of Moldova	National Bank of Moldova
Foodstuffs	Ministry of Agriculture and Food Industry	National Agency for Food Safety
Energy, water and sewage	Ministry of Infrastructure and Regional Development	National Agency for Energy Regulation

Needs & Constraints: low capacities to align the legal and institutional framework to EU Acquis, poor inter-institutional coordination, lack of proper digital tools to manage consumer petitions and low credibility

among consumers. The Action will address these needs and constraints through technical assistance in finetuning the legal and institutional framework in line with EU Acquis and development (OP1.1-OP1.3) and implementation of the digital tool/software for management of consumer petitions (OP1.4), under SO1.

TG2: civil society. Needs & Constraints: low information and awareness about consumer rights and mechanisms to promote consumer protection, underfunding and poor organization of civil society that is working in this area. The Action will address these needs and constraints by supporting the creation of the European Consumer Center (OP2.3-2.4), as well as through the awareness campaign (OP2.1) under SO2.

TG3: mass media. Needs & Constraints: like civil society – low awareness, but also capacities to reflect consumer protection issues in their activity. The Action will address these needs and constraints by supporting 5 media CSOs, including through sub-grants (OP2.2), and by providing content for the awareness and visibility campaign (OP2.1) that will be implemented also through mass-media, under SO2.

2. Scope of the assignment and key activities to be conducted by the selected experts

The scope of this assignment is to contract: two experts on governance, and two experts on consumer protection (total – four experts) that will:

- Conduct a comprehensive mapping of institutions in the field of consumer protection.
- Elaborate a Gap analysis between the current situation in Moldova related to consumer protection framework and EU directives in this field.
- Prepare a set of recommendations for relevant institutions to adjust the legal framework in line with the mentioned gap analysis.
- Develop a software that allows for quick classification, sorting and processing of petitions and, at the same time, allows consumers to track the status of their petition.
- Implement an awareness raising campaign on consumer protection.
- Assist and mentor 5 subgrantees from mass media organizations.
- Assist in the establishment of the European Consumer Centre based on the EU acquis and relevant EU Directives' requirements.

3. Deliverables and Timeline of project activities

Deliverables	Timeline of project activities	Expert
11 interview reports and Diagnostic analysis of the legal framework in the field of consumer protection.	March-May 2024	Expert 5 (Governance), Expert 6 (Governance)
Gap analysis between the current situation in Moldova related to consumer protection framework and EU directives in this field.	April-May 2024	Expert 5 (Governance), Expert 6 (Governance)
Roadmap with practical recommendations for the consumer protection.	April-May 2024	Expert 5 (Governance), Expert 6 (Governance)

Software that allows for quick classification, sorting, and processing of petitions and, at the same time, allows consumers to track the status of their petition.	March 2024-June 2026	Expert 1 (Consumer Protection), Expert 3 (IT Specialist)
Communication materials for the awareness raising campaign on consumer protection.	April 2024 -December 2024	Expert 1 (Consumer Protection) Expert 2 (Governance) Expert 4 (Consumer Protection) Expert 5 (Governance) Expert 6 (Governance)
Communication materials prepared by the 5 subgrantees from mass media organizations.	May 2024-June 2026	Expert 1 (Consumer Protection) Expert 2 (Governance) Expert 4 (Consumer Protection) Expert 5 (Governance) Expert 6 (Governance)
Concept for the setting up of the European Consumer Center in Moldova; Center set-up and set of documents for its activity.	February 2024 -December 2024	Expert 1 (Consumer Protection) Expert 2 (Governance) Expert 4 (Consumer Protection)

3. Tasks distribution by experts and allocation of expert days

This assignment refers to:

- Expert 1 (Consumer Protection);
- Expert 2 (Governance);
- Expert 4 (Consumer Protection);
- Expert 5 (Governance).

Note: Expert 3 (IT Specialist) and Expert 6 (Governance) will be selected under a distinct procurement procedure and will be contracted by IPRE – the second partner of the consortium.

Allocation of tasks and days by experts

Expert	Deliverables	Estimated effort (days)
Expert 1 (Consumer Protection)	(i) Concept of the software that will have to be promoted and approved as a Governmental decision; (ii) Terms of reference describing the detailed functionalities of the software	10
	(i) Monthly monitoring reports on the software implementation; (ii) Software developed and functional; (iii) User manual about software functionalities	10
	(i) Updated and finalized user manual; (ii) Training on using and managing the software; (iii) Functional software transferred to the	5

	State Inspectorate for the Supervision of Non-Food Products and Consumer Protection	
	Communication materials on consumer protection	10
	Support to 1 mass-media subgrantee in developing 1 journalistic investigation and 5 media products	5
	(i) Desk research about best practices on functioning of European Consumer Centers; (ii) Concept for the setting up of the European Consumer Center in Moldova	15
	Status of the European Consumer Centre, including its organigram, principles of activity, objectives, and funding	15
	Manual of financial and procurement procedures of the European Consumer Centre	15
	Mentorship provided to the European Consumer Centre	20
Total		105

Expert	Deliverables	Estimated effort (days)
Expert 2 (Governance)	Communication materials on consumer protection	10
	Support to 1 mass-media subgrantee in developing 1 journalistic investigation and 5 media products	5
	(i) Desk research about best practices on functioning of European Consumer Centers; (ii) Concept for the setting up of the European Consumer Center in Moldova	15
	Status of the European Consumer Centre, including its organigram, principles of activity, objectives, and funding	15
	Manual of financial and procurement procedures of the European Consumer Centre	15
	Mentorship provided to the European Consumer Centre	20
Total		80

Expert	Deliverables	Estimated effort (days)
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Expert 4 (Consumer Protection)	Communication materials on consumer protection	10
	Support to 1 mass-media subgrantee in developing 1 journalistic investigation and 5 media products	5
	HR policy of the European Consumer Centre	15
	Mentorship provided to the European Consumer Centre	15
Total		45

Expert	Deliverables	Estimated effort (days)
Expert 5 (Governance)	(i) 11 interviews held; (ii) 11 interview reports about the key results and findings	5
	Diagnostic analysis of the legal framework in the field of consumer protection	10
	Gap analysis between the current situation in Moldova related to consumer protection framework and EU directives in this field	5
	Roadmap with practical recommendations for the consumer protection reform	10
	Legal amendments on consumer protection and supporting the Government with promoting the adoption of legal amendments	10
	Communication materials on consumer protection	10
	Support to 1 mass-media subgrantee in developing 1 journalistic investigation and 5 media products	5
Total		55

5. Requirements for experts

- Education/training: Master's degree in a relevant area such as: law, economics, management, engineering, public administration etc.
- General professional experience: minimum 3 years of relevant work experience in the consumer protection field, public administration, legislative approximation, economic impact assessments etc.
- Experience of implementing projects with development partners
- Ability to effectively communicate with national institutions, stakeholders and beneficiaries; excellent analytical, teamwork, presentation, and communication skills.

6. Evaluation grid

The evaluation of the applications will be carried out in two stages:

Stage 1: Analysis of the technical offers according to the specified criteria with the respective scoring, including verification of compliance with the ToR.

Stage 2: Analysis of financial offers and calculation of the score according to the unique calculation formula.

In the first stage, the technical offer, submitted by each expert, will be evaluated against the minimum compliance requirements as follows:

Expert 1 (Consumer Protection), Expert 2 (Governance), Expert 4 (Consumer Protection), Expert 5 (Governance)

Evaluation criteria	Points (max)
- Master's degree in law, economics, management, engineering, public administration etc. (Experts 1; 2; 4). - Master's degree in law or public administration (Expert 5).	25
Minimum 3 years of relevant work experience in the consumer protection field, public administration, legislative approximation, economic impact assessments.	35 (3 years – 30 points, plus 1 point for every additional year of experience up to a maximum of 35 points)
Proven experience of implementing projects with development partners.	20
Proven ability to effectively communicate with national institutions, stakeholders and beneficiaries; excellent analytical, teamwork, presentation, and communication skills.	20
Total	100

The minimum qualification score for the technical offer – 75 points.

During the second stage, the Evaluation Committee will examine only the financial offers of the bidders that meet the minimum qualification score following the evaluation of the technical offers, mentioned above.

The evaluation score (maximum 100 points) will be established by weighting technical offer against financial offer on an 80/20 basis. This is done by multiplying:

- the scores awarded to the technical offers by 0.80;
- the scores awarded to the financial offers by 0.20.

Contracts will be awarded based on the most economically advantageous offers established based on the best quality/price ratio.

7. Submission of the application

Applications will be submitted by email at procurari@expert-grup.org.

Deadline for submission: 31 days after tender released, 2024, 18:00 pm.