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**TERMS OF REFERENCE****DEVELOPING TRAINING MANUALS & GUIDELINE FOR PROJECT  
STAFFS AND GMC MEMBERS**

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**Contract no:****Project/mandate name:** **SIMS****Employer****HELVETAS Swiss Intercooperation Bangladesh**Road 83, House 13/A NE (K)  
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**Consultant****Email****Contract duration****from****to****1. Background**

**Helvetas Bangladesh** is a non-profit membership association, and part of an international network of independent Helvetas member organisations working in the field of development cooperation. It is present in about 30 countries in Africa, Asia, Latin America, and Eastern Europe. Helvetas which originated from the merger with Intercooperation in 2011 has been active in Bangladesh since 2000. Our **vision** is a just and peaceful world in which all human beings live in a self-determined way in dignity and safety, are able to satisfy their basic needs, have access to indispensable resources and services, and take care of the environment. Working areas and thematic competences of Helvetas in Bangladesh are in particular: Sustainable and Inclusive Economies; Skills Development; Governance and Peace (incl. Migration), Environment and Climate Change. At Helvetas, we support impoverished and disadvantaged people and communities in developing countries who want to actively improve their living conditions. We promote access to resources and services that are indispensable for life, thus contributing to overcome root causes of poverty. Together with our partners, we are committed to the protection, promotion and execution of social,

economic, political and cultural rights.

With the objective of mitigating the negative impacts and risks related to labour migration and maximizing its benefits, **Helvetas implements the Strengthened and Informative Migration System (SIMS) project**. SIMS is a four years project mandated by the Swiss Agency for Development and Cooperation SDC that seeks to improve the well-being of migrants, particularly marginalized men and women, through safer migration practices and strengthened service delivery from both public and private actors. The duration of the project is four years (Dec. 2019 – Dec. 2023).

Helvetas together with local partner organizations (both migration related NGO and Legal Aid NGOs) implement interventions focusing on enhanced information and awareness of migrants and their families at home, improved quality and enhanced outreach of service delivery to migrants and their families and greater resilience of migrants and family members through effective use of remittances. The recent major change in context, COVID19, shall be addressed by including activities related to specific information for migrant workers and their families about services available to them, anti-stigmatization campaigns as well as support alternative livelihoods as and where required. SIMS is implemented in close coordination with the Ministry of Expatriates' Welfare and Overseas Employment (MoEWOE) of the Government of Bangladesh.

## **2. Objective(s) of the Consultancy**

PROKAS, British Council introduced community mediation as a method of alternative dispute resolution in their Fairer Labour Migration Project to facilitate access to justice for the aggrieved migrant workers and/or their family members by resolving migration related fraud cases without going to formal courts which is commonly known as Grievance Management Committee (GMC). The assessment study on piloted GMCs recommends developing a common standard model of community-based Grievance Management System to promote local justice on migration issues. Further key recommendation is to replication or roll out the model of GMC for effective addressing the large number fraudulent cases against migrant workers and/or their family members, where in most incidents there is no or less documentation is available. Under the mandate of SIMS Project, Helvetas will replicate the GMC in project districts at union level.

Under the access to justice component of SIMS project, all the avenue of redress mechanism depending on the case category (subject matter and nature of a grievance) will be explored to address grievances of MWs and their family members. Considering the remedy seeking for the respective case categories, local level ADR mechanism, BMET Arbitration mechanism is prioritized and only if this fails, referrals shall be made to the formal justice system. SIMS project as a part of the two-pronged strategy, plans to strengthen ADR mechanisms by replicating PROKAS' model of GMCs for improving access to justice for MWs. As most pre-departure cases are related to fraud by the sub-agents, such cases are best addressed at local level by the GMCs. The replication of the PROKAS GMC Model includes intense capacity development process of the respective committee members. This capacity building includes conceptualization of migration context and framework, legal provisions and practice, ADR mechanism, objectives of GMC, mediation skills, scope of work, functions and procedure including further referrals (if disputed matter is not resolved, it can further refer to GO/ NGO legal aid organization or litigation), linkage with Partner NGO and Advisory Board and relevant documentation process. A key focus of the capacity building process is to build the right attitudes and skills on mediation so that the GMCs are equipped to provide impartial mediation services to the clients. This capacity building activities planned to be conducted by the Partner organization (Migration NGOs) staffs who as well requires capacity building for formation, enhance capacity of the GMC members and support the GMCs in smooth functioning. The GMC capacity building process initiates during the formation level of the committees, as the aspired members require a briefing on migration and project context, and as well as objectives and functions of the committee.

Based on the role and functions of both the project staffs and GMC members, project intakes

capacity building activities for both criteria. Thus, it is planned to develop training manual for project staff ToT training and basic training for GMC Members. In addition to that, a guideline for the GMC members to fulfill their role with the key focus on mediation. So, the key objectives of the consultancy are as follows:

- To develop and design training Manuals for project staff and GMC Members capacity building process.
- To develop and design a comprehensive guideline for GMC members for conducting their aspired roles and functions.
- To facilitate/ co-facilitate as external resource in the relevant sessions of capacity building activities.

### **3. Expected results (or Output)**

The following are the expected deliverables from the consultancy firms:

- Inception Report containing the final methodology and work plan to conduct the assignments.
- Develop, and design following comprehensive capacity building module/ communication materials – **a)** Training Module for Project Staff Training (ToT) on Facilitation, ADR mechanism and GMC; **b)** Training Manual for the GMC Members basic training on ADR mechanism and functions of GMC and **c)** a Guideline for the GMC members for functioning their role and facilitate mediation.
- As an external resource facilitate/ co-facilitate the relevant sessions in both staff and GMC members capacity building activities.

### **4. Main Tasks and Activities of the Assignee (or consultant)**

- a)** Develop understanding on SIMS access to justice component, case dealing mechanism, roles and linkage between the internal (Helvetas and Partner NGOs) and external actors (i.e. GMC members, advisory board, DEMO, BMET, Justice System)
- b)** Simultaneously, enhance understanding on the Migration context and framework, Migration related Case categories (subject matter and nature of cases), redress channel (i.e. GMC/ local level ADR, BMET Arbitration Cell, Formal Justice System/ Court Case) functioning process and necessity of Local Level ADR mechanism.
- c)** Review best practices on GMCs including PROKAS Study report and relevant expertise of SIMS partners, PROKAS partners and other migration or legal aid organizations.
- d)** Review guideline on mediation in Bangladesh context including basic guideline to mediation developed by Inmedio and adapted by Helvetas.
- e)** Analyze the respective roles and responsibilities of relevant internal actors and 'Training Content Sheet' and submit subsequent planning with methodology, work plan and requirements to develop the modules and guideline.
- f)** Content input and design of the capacity building module/ communication materials – i) Training Module for Project Staff Training (ToT) on Facilitation, ADR mechanism and GMC; ii) Training module for the GMC Members basic training on ADR mechanism and functions of GMC and iii) a Guideline for the GMC members for functioning their role and facilitate mediation.
- g)** Facilitation in the Staff ToT and Basic Training for GMC members.

### **5. Working methodology**

The Consultancy firm/ organization needs to detail out a methodology for the proposed activities, however, the methodology can be including, but not limited to the following:

- Literature review: SIMS Project Documents, the Case Dealing Matrix of SIMS Project, Stages and Steps of Local Level ADR/ GMC, BMET Arbitration Cell and Criminal/Civil Justice System, PROKAS Study Reports, SIMS Partner Organization and other Migration NGOs GMC related Documents, Helvetas/Inmedio Mediation Guideline and SIMS Project Staff and GMC members 'Training Content Sheet' etc.
- Primary Information collection from Helvetas including Partner NGOs of SIMS Project, PROKAS, relevant stakeholders including existing (PROKAS) GMC members for guidance module and guideline development.
- Interaction with ADR Experts and Legal Aid providing organizations.
- After development of modules and guideline, accommodate feedback from Helvetas.
- Facilitate CSO consultation on the developed modules and guidelines.
- Conduct field test of the Modules
- Final development of the modules and guideline and endorsement by Helvetas.
- ToT for staff of PNGOs.

## 6. Profile of the consultancy firm

The proposed team from the consultancy firms or the consultants should have following competence.

- A team member or lead consultant must be an expert on training facilitation on ADR/ Legal Aid/ addressing human rights violation.
- A team member must be an expert with Communication background and expertise on interactive adult learning process.
- The lead consultant must have previous experience in developing training module and communication materials.
- Must have experience in working, engaging wide range of stakeholders ranging from government, development partners, and private sector.
- The team or lead consultant must have expertise in report writing and drafting documents for INGOs/ International Organizations.
- Ability to deliver according to a specified timeline while maintaining the quality of the output.

## 7. Time Frame of the assignment

The development and final submission of the Training Modules and GMC Guideline including orientation of the selected facilitators is expected to complete within 30 days beginning from the date of official commencement of the assignment.

### Tasks / outputs and suggested timeframe

Task/ Output	Tentative timeframe
a) Sharing/ launching ToR	15 June 2021
b) Submission of proposal	30 June 2021
c) Selection of successful consultant/ consulting firm	3 <sup>rd</sup> Week of July 2021
d) Inception meeting with Successful bidder and key documents sharing by Helvetas	3 <sup>rd</sup> Week of July 2021
e) Inception Report submission including the final methodologies and work plan	4 <sup>th</sup> Week of July 2021
f) Final Submission of the Modules and Guideline	4 <sup>th</sup> Week of August 2021

## 8. Responsibilities of the involved parties

### Consultancy Firm

- Maintain the assignment task, role and timeline as stipulated in the Contract including the Helvetas Code of Conduct.
- Participate in the meeting/ exchange as agreed/ planned and respond to the communication in timely manner.
- Maintain the respective role division as per team composition stipulated and agreed in the contract.
- Stick to the agreed methodology and work plan and notify the Team Leader SIMS or, assigned focal person and take approval in prior to make any change (if any).

### HELVETAS

Helvetas SIMS team will provide the consultant/firm with the necessary support to undertake and implement the assignment and execute the objectives of this assignment. Such responsibilities may include the following:

- Provide necessary key background documents on project interventions and thematic issues.
- Provide background information on target beneficiary, users information and stakeholders, project area, etc.
- Arrange sharing meetings for the better understanding of the assignment.
- Provide management and expert opinion and support in designing and implementation of the methodology and work plan.
- Linking with stakeholders for information collection purpose.
- Linking with partners NGOs to share their experience, respective and collaborative roles in the GMC implementation process.
- Arranging for payment.

## 9. Reporting / Debriefing

The following deliverables shall be submitted by consultant as Final Products of the assignment:

- i. Printable (illustrated design) electronic/ soft copies of the **Project Staff ToT Module** in pen/ flash drive (portable USB) both in English and Bengali.
- ii. Printable (illustrated design) electronic/ soft copies of the **GMC Member Basic Training Module** in pen/ flash drive (portable USB) both in English and Bengali.
- iii. Printable (illustrated design) electronic/ soft copies of the **Guideline for GMC Members** in pen/ flash drive (portable USB) both in English and Bengali.
- iv. A computer printed and duly signed 'Assignment Completion Report' in English.

At the end of the contract, a debriefing meeting shall be held between Helvetas and the consultant/ consultancy firm.

## 10. General Terms and Conditions

- HELVETAS Swiss Intercooperation reserves the right to accept or reject any proposal without giving any verbal and/or written rationale.
- All reports and documents prepared in relation to the assignment will be treated as HELVETAS Swiss Intercooperation Bangladesh property.

- The reports/documents or any part, therefore, cannot be sold, used, and reproduced in any manner without prior written approval of HELVETAS Swiss Intercooperation Bangladesh.
- HEVETAS Swiss Intercooperation Bangladesh reserves the right to accept or reject any proposal without giving any verbal and/or written rationale.
- The selected consultant/consulting firm should implement the work in coordination with the focal person of HELVETAS Swiss Intercooperation. The consultant should prior inform the focal person on the schedule/programme to implement the assigned task.
- HEVETAS Swiss Intercooperation Bangladesh or its representatives reserve the right to monitor the quality and progress of the work during the assignment.
- The Consultant will get the stipulated amount agreed by both the party through contract. No other cost will be borne by Helvetas Swiss Intercooperation Bangladesh.
- VAT Registration Certificate, TIN and Trade License (if applicable) must be submitted before the agreement is signed.
- The selected consultant/ consulting firm is requested to affix required revenue stamp while submitting the bill.

## 11. Evaluation criteria

On receipt of the EOI, a designated team/ Procurement Committee will evaluate the proposals and take a decision about the consultants/ agency for the assignment. Selection of the consultants/ agency will be based on:

Criteria	Required areas	Score
<b>Technical Evaluation</b>	<b>a. Organization or consultant Profile, length of Service Experience of Firm /Consultant, Team Composition &amp; Eligibility of Legal Documents ----- 25</b> <b>b. Understanding of the Assignment ----- 15</b> <b>c. Methodology and Work plan ----- 25</b> <b>d. Sample of relevant work experience ----- 10</b> (consulting firm /individual should submit at least 2 sample works along with proposal, preferably with GoB or IOs/INGOs. ADR/ GMC/ Migration Case Dealing mechanism related experience will treated with higher marks)	<b>70 Marks</b>
<b>Financial Evaluation</b>	Financial Offer	<b>30 Marks</b>
<b>Total Score</b>		<b>100 Marks</b>

## 12. Application process

The Application/ proposal submission will be in English (*prescribed font – Arial and font size 11*).

Interested and qualified Consultants/ Firms are requested to submit their Proposal (Technical and Financial) to: [recruitmentbd@helvetas.org](mailto:recruitmentbd@helvetas.org). Please write “**SIMS GMC Consultancy**” in the subject line. The proposals should be submitted by **5 pm BST on 30 June 2021**. We are only able to consider electronic submissions.

Only shortlisted Consultants/ Firms will be contacted and invited for a technical discussion.

## 13. Structure of the proposal

Interested Consultant/ Firms must include the following content with the indicated page number for submission of the proposal:

- a. **General Part:** The general part must contain the following -
  - A Cover Page with contact detail of the applicant – 1 Page
  - Table of Content - 1 Page
  - Abbreviations and Acronyms - 1 Page
- b. **Technical Proposal:** The Technical Proposal consists of following issues -
  - Introduction – Maximum 1 Page.
  - Understanding of the assignment - maximum 1 Page.
  - Description of relevant thematic and skill related experience and expertise of the Consultants/ Firms for the assignment - maximum 2 Pages
  - Detailed methodology and work plan along with samples (at least two) of previous work. – maximum 3 Pages.
  - Team Composition and expertise of key members. – maximum 2 pages. Brief CVs of the experts **as Annex** mentioning relevant records on experience in similar assignments and name of the references.
- c. **Financial Proposal:** Listing all costs associated with the assignment with a breakdown. In particular, the financial proposal should itemize the following:
  - Proposal must include professional fees for module and guideline development.
  - Variable costs inclusive of transportation costs and meetings with stakeholders (NB – Payment of consultancy fee is subject to withholding tax unless there is evidence of exemption) (maximum 2 pages)
- d. **References:** Names and contact details of two organizations for which similar work have been conducted in the last five years

## 14. Documents

Along with properly signed technical and financial proposal the following papers should be included:

- i. Cover letter (Maximum 1 Page)
- ii. Company Profile / CV of Consultants (as annex)
- iii. Experience in similar assignment, i.e. submission of two examples of recent related work undertaken by the tendering party/parties in a related field (evidence copy as annex)
- iv. Copy of consent letters from the key consultants (in case they are not employed in the applying agency) (as annex)
- v. Copy of VAT Registration Certificate (as annex)
- vi. Copy of TIN Certificate (as annex)
- vii. Copy of BIN Certificate (as annex)
- viii. Copy of Joint Stock Company Registration Certificate (as annex)
- ix. Copy of Trade License Certificate (as annex)

## 15. Annexes

- ANNEX A: BASIC INFORMATION ON GMC RELATED TRAINING, DAY WISE CONTENT DIVISION and AVAILIIBTY OF RESOURCE AS PER CONTENT

Place and date: **Dhaka, 15 June 2021.**