

**Contract for the services of
an Individual Contractor**

No.: IC/2013/12/03

This Contract is entered into on 16 December 2013 between the Cambodia REDD+ Taskforce Secretariat (hereinafter referred to as "RTS") and **Mr. CHHUN DELUX** (hereinafter referred to as "the Individual Contractor") whose address is: #246/St.356/Sangkat Toul Svay Prey 2/Khan Chamkamon/Phnom Penh.

WHEREAS RTS desires to engage the services of the Individual Contractor on the terms and conditions hereinafter set forth, and:

WHEREAS the Individual Contractor is ready and willing to accept this Contract with RTS on the said terms and conditions,

NOW, THEREFORE, the Parties hereby agree as follows:

1. Nature of services

The Individual Contractor shall perform the services as described in the Terms of References which form an integral part of this Contract and are attached hereto as Annex I in the following Duty Station(s): Phnom Penh with possibly travel to province.

2. Duration

This Individual Contract shall commence from the signing date (on 16 December 2013), and shall expire upon satisfactory completion of the services described in the Terms of Reference mentioned above, but not later than 1st March 2014, unless sooner terminated in accordance with the terms of this Contract.

3. Consideration

As full consideration for the services performed by the Individual Contractor under the terms of this Contract, including, requirement in the fulfillment of the Terms of Reference in Annex I, RTS shall pay the Individual Contractor a total of **\$1,600 (One Thousand Six Hundred US Dollars only)** in accordance with the table set forth below. Payments shall be made following certification by Technical Specialist of RTS that the services related to each Deliverable, as described below, have been satisfactorily performed and the Deliverables have been achieved by or before the due dates specified below, if any.

DELIVERABLE	DUE DATE	AMOUNT IN [CURRENCY]
(20%) 1 st payment, upon submission and acceptance of the work plan for the assignment	01 st January 2014	\$320
(50%) 2 nd payment, upon organizing national consultation meeting.	17 January 2014	\$800
(30%) 3 rd payment, upon submission and acceptance of the final report.	15 th February 2014	\$480
Each payment will be paid after receipt and approval of certification for payment and performance evaluation for last payment duly completed and signed by Technical Specialist of RTS		\$1,600

If unforeseen travel outside the Duty Station not required by the Terms of Reference is requested by RTS, and upon prior written agreement, such travel shall be at RTS's expense and the Individual Contractor shall receive a per diem not to exceed RTS daily subsistence allowance rate in such other location(s).

Where two currencies are involved, the rate of exchange shall be the official rate applied by the United Nations on the day the RTS instructs its bank to effect the payment(s).

4. Rights and Obligations of the Individual Contractor

The rights and obligations of the Individual Contractor area strictly limited to the terms and conditions of this Contract, including its Annexes. Accordingly, the Individual Contractor shall not been titled to any benefit, payment, subsidy, compensation or entitlement, except as expressly provided in this Contract. The Individual Contractor shall be solely liable for claims by third parties arising from the Individual Contractor's own acts or omissions in the course of performing this Contract, and under no circumstances shall RTS be held liable for such claims by third parties. The contractor should demonstrate that he/she is not employed elsewhere during the fulfillment of the contract.

5. Beneficiary

The Individual Contractor selects Mrs. Ung Sopheamony as beneficiary of any amounts owed under this Contract in the event of death of the Individual Contractor while performing services here under. This includes the payment of any service-incurred liability insurance attributable to the performance of the services for RTS.

For payments which are not output-based lump sum, indicate the maximum number of working days/hours/units, any out of pocket expense (travel, per diem...) and the corresponding fee/cost in the Deliverable (s) table.

Mrs. Ung Sopheamony

#246/St.356/Sangkat Toul Svay Prey 2/Khan Chamkamon/Phnom Penh.ID card:010317555

Email: ung_sopheakmony@yahoo.com

Phone: 012 290 597

IN WITNESS WHEREOF, the Parties hereto have executed this Contract.

By signing below, I, the Individual Contractor, acknowledge and agree that I have read and accept the terms of this Contract, which form an integral part of this Contract, and that I have read and understood, and agree to abide by the standards of conduct set forth in the Secretary-General's bulletins ST/SGB/2003/13 of 9 October 2003, entitled "Special Measures for Protection from Sexual Exploitation and Sexual Abuse" and ST/SGB/2002/9 of 18 June 2002, entitled "Regulations Governing the Status, Basic Rights and Duties of Officials other than Secretariat Officials, and Experts on Mission".


- The Individual Contractor has submitted a Statement of Good Health and confirmation of immunization.
- The Individual Contractor is not required to submit a Statement of Good Health and confirmation of immunization.

AUTHORIZING OFFICER: 

INDIVIDUAL CONTRACTOR:

Date: 10/01/2014

Date: 16 December 2013

Signature: 
H.E Chea Sam Ang, Ph.D. *na*
National Programme Director


Mr. CHHUN DELUX



UN-REDD
PROGRAMME



NOTE TO FILE ON JUSTIFICATION FOR NON-COMPETITION

TO: H.E. Chea Sam Ang
UN-REDD National Programme Director

FROM: Peter Iversen, Technical Specialist 

SUBJECT: National consultant for assessing existing options in Cambodian Law for establishment of a REDD+ Fund

DATE: 9/12/2013

BACKGROUND

The Cancun Agreements issued at the Conference of Parties (COP) 16 held in Mexico in 2010 provide strong support for policy approaches that deliver positive incentives for countries and their actors to engage in REDD+ (reducing emissions from deforestation and forest degradation in developing countries; and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries).

According to the Cancun Agreements, those countries who participate in REDD+ should undertake results-based actions that can be fully measured, reported and verified in order to receive payment. At COP17 held in Durban in 2011, it was agreed that performance should be measured in tons CO2 equivalent.

Whereas financing options for results-based actions are yet to be decided upon, participating countries should establish a fund and its distribution mechanism to enable transaction, management and disbursement of funds. The presence of such fund mechanism will enable the country not only to receive REDD+ payment from international funding or carbon markets but also to manage and disburse payment in a transparent manner and in accordance with agreed benefit sharing arrangements.

Activity 2.3e of the UN-REDD National Programme will look into existing option in Cambodian Law to establish a REDD+ Fund as well as review international experiences with the establishment of REDD+ Funds.

An international consult has been recruited and submitted the proposed work plan. At the same time different initiatives in FA are investigating different possibilities for setting up funds related to forests.

It will be very useful to have the national consultant as soon as possible and similar useful to select a person already engaged in some of the work mentioned above.

RATIONALE FOR SELECTION OF CONSULTANT

Mr. Chhum Delux is already engaged in work on innovative forest financing and have also been involved in establishment of funds related to REDD+ projects and he is prepared to begin the work together with the international consultant immediately.

The amount of **funding required is USD 1,600.00** for a contract with 20 working days.

ALTERNATIVES CONSIDERED

Not applicable with the short notice and the requirement to have a person already involved in work with establishment of a climate or forest fund.

ASSURANCE THAT PRICE IS FAIR AND REASONABLE

I provide assurance that the funding is similar to other contract for national consultants working on highly technical matters on the UN-REDD Programme.

OTHER POTENTIAL CONSULTANTS

Realistically there is no other potential consultant.

I, therefore, certify to the best of my ability that this justification for partnering noncompetitively with the Mr. Chhun Delux under the compelling justification provided is accurate and complete.

APPROVED:  DATE 16 Dec - 2013
H.E Chea Sam Ang, National Programme Director

DENIED: _____ DATE _____
H.E Chea Sam Ang, National Programme Director

- A report synthesizing output 1, 2, and 3 not longer than 20 pages plus annexes and references in English and Khmer.

Expected delivery/outputs	Estimated duration to complete	Target due days
Work plan for the assignment	1day	15 st November
Draft assessment report	12days	5 th December
Planning of consultation meeting	1 day	
Consultation meeting	1day	15 th December
Synthesis report for approval	3 days	
Final report with all comments included	2 days	20 th December
Total	20 days	

Duty Station

The duty station for this assignment is Phnom Penh, Cambodia.

Supervision, teamwork and administrative support:

The National Consultant will work closely with the International Consultant and report to the UN-REDD National Program Director and on day-to-day basis will be supervised by Technical Specialist and the REDD+ Taskforce Secretariat.

Monitoring and Progress Control

The consultancy team will be accountable for the timely and quality output and report weekly to the REDD+ Taskforce Secretariat on progress compared to the workplan.

Payment milestones

Consultant will be paid on a lump sum basis under the following installments

- (20 %) 1st payment, upon submission and acceptance of work plan for the assignment
- (50 %) 2nd payment, upon submission of draft assessment report
- (30 %) 3rd payment, upon submission and acceptance of the final report

Application

Applicants are requested to send CV, together with a letter of interest to REDD+ Taskforce Secretariat by either mail (N. 40, PreahNorodom Blvd. SangkatPhsarKandal 2, Khan Daun Penh, Cambodia) or e-mail (redd.secretariat@cambodia-redd.org).

Detailed list of tasks:

Analyze existing fund mechanisms under Cambodian Law including legal assessment:

This analysis should include an investigation of purposes, management aspects, modalities of existing fund mechanisms and the degree of transparency under each fund distribution mechanism. It should also address the question of how to provide payments to different government actors, communities and other stakeholders in accordance with the decision made on the national benefit sharing arrangement.

Study experiences from other countries with regard to the establishment of REDD+ Fund and distribution mechanisms:

Assessment of existing fund mechanisms under Cambodian Law

Prior experience with REDD+	20 points
Sound knowledge of disciplines relevant to international development work and climate change	20 points
Total	100 points

This TOR is approved by: *HS*

Signature: 

Name and Designation: H.E. Chhea Sam Ang Ph.D.

Date of Signing: 12 Dec 2013

Term of References

Assessment of existing fund mechanisms under Cambodian Law

Level	1 National Consultant (Individual Contract)
Practice Area:	National Fund, legal assessment, REDD+ (Financing, Forests and Climate Change)
Duration:	20 days
Duty Station:	Phnom Penh
Supervisor:	Technical Specialist, Programme Coordinator and REDD+ Taskforce Secretariat
Activity	2.3e

Background:

The Cancun Agreements issued at the Conference of Parties (COP) 16 held in Mexico in 2010 provide strong support for policy approaches that deliver positive incentives for countries and their actors to engage in REDD+ (reducing emissions from deforestation and forest degradation in developing countries; and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries).

According to the Cancun Agreements, those countries who participate in REDD+ should undertake results-based actions that can be fully measured, reported and verified in order to receive payment. At COP17 held in Durban in 2011, it was agreed that performance should be measured in tons CO2 equivalent.

Whereas financing options for results-based actions are yet to be decided upon, participating countries should establish a fund and its distribution mechanism to enable transaction, management and disbursement of funds. The presence of such fund mechanism will enable the country not only to receive REDD+ payment from international funding or carbon markets but also to manage and disburse payment in a transparent manner and in accordance with agreed benefit sharing arrangements.

In order to make recommendations for suitable options for establishing a national fund(s) and its distribution mechanism in the context of Cambodia, there is a need to explore existing fund management options in Cambodia, which can meet the above mentioned criteria as well as to learn from other countries' experiences in establishing a fund to manage and distribute REDD+ payment. Cambodia has with the REDD Road Map taken a first step towards getting ready for REDD+ and are with the support from UN-REDD and other supporting frameworks building capacity to plan and implement REDD+. Two REDD pilot projects has commenced since 2008 and 2009 to build experiences and it expected that the different actors involved in forest and land use planning need further capacity building including on the understanding of necessary national REDD+ structures, benefits sharing, multiple benefits and costs associated with REDD+.

Expected Outputs and Deliverables:

The start of the activity will depend on the successful recruiting of the international consultant.

- An assessment of existing fund mechanisms and opportunities under Cambodian Law including legal assessment.
- A brief summary of experiences in and lessons learned from other countries with the establishment of REDD+ Fund mechanisms.
- A set of recommendations for possible fund structure and mechanisms for REDD+ in Cambodia
- A half day national consultation meeting to present and discuss the findings.

- A report synthesizing output 1, 2, and 3 not longer than 20 pages plus annexes and references in English and Khmer.

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Final report with all comments included	2 days	20 th December
Total	20 days	

Duty Station

The duty station for this assignment is Phnom Penh, Cambodia.

Supervision, teamwork and administrative support:

The National Consultant will work closely with the International Consultant and report to the UN-REDD National Program Director and on day-to-day basis will be supervised by Technical Specialist and the REDD+ Taskforce Secretariat.

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Detailed list of tasks:

Analyze existing fund mechanisms under Cambodian Law including legal assessment:

This analysis should include an investigation of purposes, management aspects, modalities of existing fund mechanisms and the degree of transparency under each fund distribution mechanism. It should also address the question of how to provide payments to different government actors, communities and other stakeholders in accordance with the decision made on the national benefit sharing arrangement.

Study experiences from other countries with regard to the establishment of REDD+ Fund and distribution mechanisms:

The objectives of this study are to gain insights from other countries' experiences in establishing a REDD+ fund and distribution and to identify possible fund structure and mechanisms for REDD+ in Cambodia

Organize a half day national consultation meeting to present and discuss findings:

In collaboration with the REDD+ Taskforce Secretariat, the consultant team should design and organize a half day consultation meeting to be held in Phnom Penh in December 2013. For the meeting organization, the team will be responsible for 1) preparing the meeting agenda, 2) identify key national stakeholders for Cambodia REDD and a national fund structures, 3) identifying relevant speakers from Cambodia (and abroad) and 4) preparing presentations to facilitate discussions. For the presentations, the team should share a consolidated view on pros and cons of using different funds options assessed in terms of their suitability for REDD+. If appropriate, the team should also present proposals for possible fund mechanisms going beyond existing funds modalities and consider their legislative implications.

Preparation of a synthesis report that consolidates the results from the assessments and inputs received during the consultation meeting:

A report not exceeding 20 pages plus annexes and references in English shall be produced as a result of 1) Review of existing fund mechanisms under Cambodian Law including legal assessment and 2) study of experiences from other countries on REDD+ fund management and 3) workshop. This report should not be limited but contain 1) an overview of possible options for a national REDD+ fund with pros and cons and 2) recommendations for next steps to be taken to develop a national REDD+ Fund.

The consultant is expected to work in close coordination with national partners, and is expected to visit some provinces, as necessary.

National Consultant:

The National Consultant will work closely with the International Consultant, specifically to:

- Assist and work closely with the International Consultant to conduct the analysis mentioned under 1 above;
- Provide significant support to the development of a consultation meeting to present and discuss findings;
- Assist in preparing the synthesis report the assessment conducted and the input received during the consultation meeting.

Competence Requirements

The National Consultant shall meet the following criteria:


- A minimum of a Master's or equivalent degree in law, natural resource management, environmental economics and policy or a related field;
- A minimum of 5 years of relevant experience in law, fund management, and policy
- Good analytical, writing and communication skills both in English and Khmer, including the ability to articulate ideas in a clear and concise manner;
- Good interpersonal skills and ability to work well in a team whilst also having the capacity and initiative to work independently;
- Sound knowledge of disciplines relevant to international development work and climate change.

Evaluation criteria	Obtainable score
Relevant education and number of years experiences as required by the ToR	20 points
Proved relevant technical skills related to the fields of law, fund management and policy	40 points

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Prior experience with REDD+	20 points
Sound knowledge of disciplines relevant to international development work and climate change	20 points
Total	100 points

This TOR is approved by: *HY*

Signature: _____ 

Name and Designation: H.E Chea Sam Ang Ph.D.

Date of Signing: 19 Nov. 2013