

TERMS OF REFERENCE (TOR) FOR INSTITUTIONAL CONTRACTORS facilitate the successful passage of the Compulsory Births and Deaths Bill into Law through the Nigerian legislative bodies.

Purpose	Technical and management support to the National Population Commission on the navigate the legislative process and facilitate the successful passage of the Compulsory Births and Deaths Bill into Law through the Nigerian legislative bodies.
Duration	1 st August 2024-30 th July 2025
Reporting to	Ibrahim Sesay
Location	Abuja
Is the consultancy assignment in the approved AWP	Yes

1. Background and Justification

Universal birth registration is one of the most fundamental instruments to ensure equity of services and interventions for children. The Sustainable Development Goals (SDGs) explicitly include increasing birth registration to support global coherence and impetus towards universal and free birth registration. Target 16.9 of the SDGs aims to 'provide a legal identity for all', including birth registration, by 2030.

Civil registration and vital statistics (CRVS), including birth registration, are essential to capturing and measuring national and global progress against the SDGs. Therefore, it is strategic to invest in CRVS systems to enable governments to better monitor and be accountable for achieving the SDGs and recognize that children's registration at birth is one key element to accelerating social justice.

The Nigerian civil registration and identity system is characterized by multiple and duplicating agencies extracting identity data of individuals. In addition, the issuance of National Passport, driver's license and voter's cards, are not linked, coordinated, nor integrated, and basic services for children including school enrolment, immunization and child justice administration continue to be administered without any linkage to the unique birth registration identity.

Thus, an enabling legal and policy environment for birth registration within Civil Registration and Vital Statistics System needs to be in place and the legal and policy framework ought to be strengthened, including through harmonization of birth registration and certification processes and services between the NPC, the Local Government Areas and other civil registration agencies and entities. UNICEF in collaboration with NPC in 2022 has conducted a thorough review of the legal frameworks that can support a harmonized and holistic e-CRVS system in the broader context of digital laws, data privacy, protection, and legal identity management.

The draft Regulation on birth registration and notification, especially as it pertains to the e-CRVS systems and amended Births, Deaths, Etc. (Compulsory Registration) Act, No. 69 Act, was updated in line with modern technological realities and international best practices, is in place. The legal review is comprehensive, fit for purpose and capable of enhancing the birth registration and certification process in Nigeria

The Births, Deaths, etc. (compulsory Registration) Bill 2022, is now submitted to the National Assembly set to be passed into law in 2024.

The institution will draw on its comparative advantage to sustain advocacy with the parliamentarians and convening stakeholder forums and public hearing and consultative sessions to ensure speedy passage of the bill to law.

The bill when passed to law will ensure adequate protection of children's sensitive data, enable synergy and data integration between the NPC and other key identity management agencies in Nigeria

2. Purpose of Assignment: (attach background documents, if necessary)

The purpose of this consultancy is to support the technical and management expertise required for an effective passage of the Bill into Law. The institution will be assisting the – National Population Commission (NPC) towards in the preparation and presentation of documents, including aide memoirs or, position papers, and amendments, to facilitate informed discussions during public hearings and stakeholder sessions.

In addition, the institution will provide other relevant legal reviews and briefs to UNICEF Child Protection Section, including for the legal feasibility of establishing mobile courts in Nigeria to address sexual offences and gender-based violence, considering constitutional limitations and ensuring the safeguarding of rights of the victims, witnesses and suspected perpetrators of the relevant crimes.

3. Programme ID & Specific Project Involved: Outcome 5

Outcome 5:

By 2027, children including adolescents, particularly girls, are better protected from violence, abuse, neglect, exploitation and harmful practices, including in emergencies.

Output 5.3

The National Population Commission, the allied ministries, agencies and LGA structures, have strengthened capacities to deliver a decentralised birth registration and to increase demand for it with focus on children under 1 year of age, as part of a civil registration and vital statistics system in all settings.

4. Major Tasks to be accomplished: (estimated time required to complete tasks. Attach additional sheets, if necessary, to describe assignments)

Under the guidance of the Chief, Child Protection, the Digital eCRVS the Institutional consultant will be required to undertake the following activities:

1. Scope of Work:

a. Preparation Phase:

- i. Develop a strategy for engaging with key stakeholders and navigating the legislative process in Nigeria.

b. Document Preparation:

- i. Draft aide memoirs to guide senior executives of the NPC in presenting key aspects of the bill during public hearings and stakeholder sessions.
- ii. Prepare position papers addressing potential concerns or objections raised during public consultations and legislative debates.
- iii. Review and refine the language of the bill to ensure clarity, coherence, and alignment with international standards.
- iv. Participate actively in public hearings, stakeholder engagements, and legislative proceedings to advocate for the adoption of the bill.
- v. Review and refine the draft bill to incorporate feedback received from stakeholders and legislative bodies, ensuring its coherence and acceptability for passage

c. Advocacy and Representation:

- i. Attend public hearings at the Senate and House of Representatives to provide legal expertise and advocate for the adoption of the Birth and Death Act.
- ii. Participate in stakeholder sessions, making presentations to articulate the benefits and importance of the proposed legislation.
- iii. Engage with relevant parliamentary committees and legislators to address any legal or procedural issues that may arise during the legislative process.

d. Feedback Integration:

- i. Collate feedback received from stakeholders, legislative bodies, and other relevant parties and incorporate relevant suggestions or amendments into the draft bill.
- ii. Ensure that any amendments made to the bill maintain its integrity and alignment with international standards and best practices.

e. General Legal Advisory:

- i. Provide ongoing legal advisory support to the NPC and UNICEF on matters related to the Birth and Death Act and its legislative passage.
- ii. Offer guidance on legal and regulatory requirements relevant to civil registration and vital statistics in Nigeria.

Tasks/Milestone:	Deliverables/Outputs:	Timeline	Estimate Budget
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<p>1.Draft aide memoirs to guide senior executives of the NPC in presenting key aspects of the bill during public hearings and stakeholder sessions.</p> <p>2.Prepare position papers addressing potential concerns or objections raised during public consultations and legislative debates.</p>	<p>Aide memoirs for senior executives of the NPC for public hearings.</p> <p>Position papers addressing feedback received during public consultations and legislative debates.</p> <p>.</p>	31/08/2024	10%
<p>3Review and refine the draft bill to incorporate feedback received from stakeholders and legislative bodies, ensuring its coherence and acceptability for passage</p>		30/9/2024	10%
<p>4Attend public hearings at the Senate and House of Representatives to provide legal expertise and advocate for the adoption of the Birth and Death Act.</p> <p>5Participate in stakeholder sessions, making presentations to articulate the benefits and importance of the proposed legislation.</p> <p>6.Engage with relevant parliamentary committees and legislators to address any legal or procedural issues that may arise during the legislative process.</p> <p>7.Provide legal reviews and briefs relevant to other child Protection issues including on feasibility of establishing mobile courts in Nigeria to address sexual offences and gender-based violence, considering constitutional limitations and ensuring the safeguarding of rights of the victims, witnesses and suspected perpetrators of the relevant crimes.</p>	<p>Submit to UNICEF and NPC reports and presentations delivered at stakeholder sessions and legislative hearings.</p> <p>Submit the revised draft of the Birth and Death Act incorporating feedback and amendments including legal reviews and briefs to UNICEF.</p>	01 October 2024-31 December 2024	30%
<p>8.Collate feedback received from stakeholders, legislative bodies, and other relevant parties and incorporate relevant suggestions or amendments into the draft bill.</p> <p>9.Ensure that any amendments made to the bill maintain its integrity and</p>	<p>The Births, Deaths, etc. (compulsory Registration) Bill 2023, passed into law by the National Assembly</p> <p>Progress reports, legislative process detailing activities undertaken, challenges faced, and outcomes achieved submitted to UNICEF/NPC</p>	01 January 2025-31 March 2025	20%

alignment with international standards and best practices			
11. Provide ongoing legal advisory support to the NPC and UNICEF on matters related to the Birth and Death Act and its legislative passage; and Offer guidance on legal and regulatory requirements relevant to civil registration and vital statistics in Nigeria.	Reports on lessons learned and best practices on the legislative process available for programming.	1 st April- 30 th July 2025	20%
12. Document reports of legislative process, lessons learned and best practices to guide Child Protection legislative efforts to improve the well being of children in Nigeria.			

6. End Product: (e.g. final report, article, document etc.)

Submit the following to UNICEF and National Population Commission:

- Document reports and outcomes of the high-level partnerships with key CRVS entities to ensure the successful passage of the bill into law
- Produce reports on the technical and operational support provided to guide the efforts of National Population Commission to achieve a harmonized and holistic e-CRVS system in the broader context of digital laws, data privacy, protection, and legal identity management.
- Final Report-and recommendations submitted to UNICEF and NPC as end of contract reports

5. Qualifications or specialized knowledge/experience required:

Essential

- a. The legal firm/institution must have extensive experience in legislative advocacy, legal drafting, and policy analysis, with a proven track record of working in Nigeria or similar contexts.
- b. Expertise in civil registration and vital statistics, including familiarity with ECRVS systems, is highly desirable.
- c. The legal firm should have a thorough understanding of Nigerian legislative processes, including parliamentary procedures and regulatory frameworks.
- d. Excellent communication, negotiation, and advocacy skills are essential for effectively engaging with stakeholders and legislative bodies

Desirable

- Familiarity with civil registration and vital statistics and child protection systems strengthening approach would be beneficial
- Knowledge of the latest developments and technology in related fields.
- Computer skills and excellent communication skills.

- Initiative, passion and commitment to UNICEF's mission and professional values.

ITEM	TECHNICAL EVALUATION CRITERIA	Maximum points
1	Overall Response Overall Response e.g. the understanding of the assignment by the proposer and the alignment of the Proposal submitted with the ToR 1. Completeness of response 2. Overall concord between TOR/needs and Proposal	 10 10
2.	Company and Key Personnel Range and depth of organisational experience with similar projects 1. Samples of previous work 2. Number of customers, size of projects, number of staff per project 3. Key personnel: relevant experience and qualifications of the proposed team for the assignment 4. Company policy on child labour, Safeguarding and Prevention of Sexual Exploitation and Abuse (articulate policies for the protection & safeguarding of children and prevention of PSEA) - mandatory	 4 4 4 4
3	Proposed Methodology and Approach 1. Understanding of the purpose of the consultancy 2. Technical quality of proposal, reference to previous and relevant reviews and draftings 3. Demonstrated experience and knowledge of relevant laws guiding Civil Registration and Vital Statistics and Identity management systems.	 10 10 10
	Maximum Marks	70
TOTAL TECHNICAL SCORE		
TOTAL FINANCIAL SCORE		
SUMMARY OF TECHNICAL & FINANCIAL SCORE		
NOTE: 1. The pass mark will be 70/100. Proposals on bids not achieving the minimum technical and financial standards will not be assessed. 2. Additional physical vetting/verification of the local bidders may be conducted if and when required by the Government of Nigeria .		

Minimum technical score: 70% of 70 points = 49 points

FINANCIAL EVALUATION (xx points)

Only those financial proposals for bidders which have been technically accepted according to the above criteria will be opened. The Financial Proposal will be weighted based on the clarity and appropriateness.

The price should be broken down for each component of the proposed work. The maximum number of points will be allotted to the lowest price proposal that is opened and compared among those invited firms/institutions which obtain the threshold points in the evaluation of the technical component. All other price proposals will receive points in inverse proportion to the lowest price; e.g.:

$$\text{Score for price proposal X} = \frac{\text{Max. Score for price proposal} * \text{Price of lowest priced Proposal}}{\text{Price of proposal X}}$$

The Contract shall be awarded to a bidder obtaining the highest combined technical and financial scores. Proposals not complying with the terms and conditions contained in this ToR, including the provision of all required information, may result in the Proposal being deemed non-responsive and therefore not considered further.

Administrative issues

- Whenever possible, bidder should be requested to provide an all-inclusive cost in the financial Proposal. Bidder should be reminded to factor in all cost implications for the required service / assignment
- When travel is expected as part of the assignment, it shall be clearly specified (e.g. location, duration, number of journeys ...etc.) in the TOR. Bidder shall be required to include the estimate cost of travel in the financial Proposal. It is essential to clarify in the TOR that i) travel cost shall be calculated based on economy class travel, regardless of the length of travel and ii) costs for accommodation, meals and incidentals shall not exceed applicable daily subsistence allowance (DSA) rates, as promulgated by the International Civil Service Commission (ICSC)
- Unexpected travels shall also be treated as above.
- Resources and facilities to be provided by UNICEF; e.g. access to printer, office space...etc.

Project Management

- The specific division/centre/unit which will be responsible for managing the contract/project. Availability of resources, focal points/contacts and how they will be accessible;

Instructions to bidders:

1. Proposals should be made separately: Technical and Financial. Technical should not have financial information as such technical proposal will be disqualified.
2. All completed proposals should be submitted to this email address: ngrsupply@unicef.org with the RFP reference number **9192435**. Your proposals will not be considered nor opened on failure to quote the RFP number on your forwarding email.
3. Financial proposal that includes a brief cover letter with summary of cost on letter-headed paper with contact details of the company and duly signed with a detailed breakdown of cost as an **attachment is mandatory**.
4. Financial and Technical proposal should have contact details of the company representative for this RFP clearly written on the first pages of both documents.
5. Deadline for submission is 18th September 2024.

