

Disability Rights Fund – Assessment of Financial and Administrative Procedures

Terms of Reference – Final

Table of contents

- 1. Introduction..... 2
- 2. Background information..... 2
- 3. Objectives of the assessment 3
 - 3.1 Expected deliverables 3
- 4. Minimum requirements for the contractor 3
- 5. Assessment process and methodology 4
 - 5.1 Preparatory phase 4
 - 5.2 Review phase 4
 - 5.3 Final report..... 5
- 6. Duration of the assignment and expected schedule for the deliverables 5
- 7. Consultancy fees..... 6
- 8. Governance and support from DRF 6
- 9. Evaluation and qualification criteria..... 6
- 10. Process for Interested Parties 7

1. Introduction

This document sets forth the Terms of Reference (ToR) on which the Disability Rights Fund (DRF, the organization) and the Disability Rights Advocacy Fund (DRAF) proposed to engage a contractor to perform an assessment of the organization's financial and administrative procedures, ensure response to the urgent and undelayable needs, and recommend improvements and other revisions thereto.

DRF and DRAF are sister organizations. They operate as grantmakers supporting persons with disabilities in the developing world to advance legal frameworks to realize their rights. The scope of the assessment encompasses both the DRF and the DRAF. For the purposes of this ToR, DRF and DRAF are collectively referred to as "DRF".

These ToR will become an integral part of the contract concluded between DRF and the selected contractor.

2. Background information

The Disability Rights Fund is a grantmaking collaborative between donors and the global disability rights community that provides financial and technical resources to organizations of persons with disabilities to advocate for equal rights and full participation in society.

Since 2008, DRF and its sister organization, the Disability Rights Advocacy Fund (DRAF), have funded organizations of persons with disabilities (OPDs) across the developing world – primarily in Africa, Asia, the Pacific Islands, and the Caribbean – to participate in ratification, implementation, and monitoring of the Convention on the Rights of Persons with Disabilities (CRPD).

Through grantmaking, advocacy, and technical assistance, our funds support OPDs to use global rights and development frameworks, such as the CRPD and the Sustainable Development Goals (SDGs), in their work, ensuring no one is left behind.

As a pooled fund, the Disability Rights Fund:

- Combines the resources of multiple governmental, private, and public donors.
- Enables donors to harmonize their efforts towards disability-inclusive funding.
- Reaches grassroots, marginalized, and high-risk organizations that larger donors cannot reach.
- Facilitates feedback about donor investments in this neglected area of human rights and development.
- Demonstrates results of disability-inclusive development.

For more information on DRF, follow this link: <https://disabilityrightsfund.org/more-drf-info/>

3. Objectives of the assessment

The objective of this assessment is to review the internal procedures guiding DRF's administrative, budgetary, financial, and grants management functions, with reference in each case to the applicable norms and regulations. The contractor will also express recommendations on how DRF's financial and administrative policies, procedures, manuals, and operations should be improved or otherwise revised to comply with the applicable norms and regulations and to strengthen the organization's procedures.

3.1 Expected deliverables

The contractor is expected to review all DRF's internal financial policies, guidelines, and manuals, as well as to engage in individual and/or team interviews with key staff to eventually issue:

1. One (1) synthetic inception report (max. 4,000 words), including the assessment's work plan.
2. One (1) assessment report on the status of DRF's finance, grants, and administrative procedures (around 11,000-12,000 words), identifying strengths, issues, and points for improvement.
3. One (1) set of recommendations to improve the organization's set of finance, grants, and administrative procedures, including but not limited to:
 - a. Review of policies, manuals, guidelines, etc. (e.g.: due diligence, safeguarding, risk management, efficiency, etc.)
 - b. Review of financial flows, validation (including multiple check levels), and accountability.
 - c. Integration and differentiation lines between financial management, accounting, and budgeting.
 - d. Reinforcement of internal communication arrangements to align with the review of the accountability and validation mechanisms.
 - e. Roles and responsibilities of the areas and staff, including recommendations on new roles to include in the organigram.

The final versions of the deliverables will have to be produced in accessible formats. DRF will provide the contractor with the necessary information to comply with this requirement.

4. Minimum requirements for the contractor

The contractor must have:

- A minimum of 5 years' experience in reviewing financial and administrative procedures applicable to the US regulatory system.

- A minimum of 5 years' experience in reviewing financial and administrative procedures in not-for-profit settings and grantmaking mechanisms.
- A minimum of 3 years' experience in reviewing financial and administrative procedures of organizations operating outside the USA, preferably in the Global South¹.

5. Assessment process and methodology

5.1 Preparatory phase

The contractor shall contact DRF's contact person (see below) as soon as possible and no later than seven (7) calendar days after the formal conclusion of the contracting procedure, so as to prepare the assessment, discuss the work steps, and agree on the timing for carrying out the work. Following the kick-off meeting and no later than five (5) calendar days after said meeting, the contractor will provide DRF with a synthetic inception report and the work plan for the assessment.

DRF will provide the contractor with:

- A full list of available internal relevant documents for review (e.g.: Finance Manual, Grants Administration Manual, etc.).
- A full list of relevant staff and stakeholders to be interviewed for the purpose of reviewing the financial and administrative procedures.

5.2 Review phase

The assessment procedure must lead to:

- Obtaining a sufficient understanding of the engagement context. The contractor should pay specific attention to the following aspects:
 - o Documentation, filing, and record keeping for expenditures and income, including accounting, use of exchange rates, financial reporting to donors, per diem and reimbursements, etc.
 - o Eligibility of expenditures and income.
 - o Procurement policy.
 - o Due diligence, safeguarding, and risk management.
 - o Asset management (management and control of fixed assets such as, for instance, equipment).
 - o Cash and bank management (treasury).
 - o Job roles (to be reviewed against finance, grants, and administrative procedures).

¹ For the purposes of these ToR, the applicable definition of "Global South" is the one provided by the Cambridge Dictionary: <https://dictionary.cambridge.org/dictionary/english/global-south>

- Payroll and time management.
- Internal financial controls.
- Other administrative procedures such as validation, internal communication, etc.
- Performing a risk analysis, with particular regard to legal or fiscal noncompliances, if any.
- Establishing a set of urgent action points and a set of recommendations for the future.

5.3 Final report

The contractor will submit a draft report to DRF by August 15th, 2023. Within 15 working days, DRF will submit comments and requests for amendments to the report, if any. No later than 10 working days after receiving the comments, the contractor will submit the final report to DRF.

The final report format shall reflect the above-mentioned deliverables, points 2 to 4c (see par. “Expected deliverables”, page 3), including, at least:

- **Section 1 – Assessment report on the status of DRF’s financial procedures**
 - The standard applied criteria and methodology for the analysis.
 - The facts that have been established (findings on the financial and administrative procedures) and their nature (in particular, if occasional or systemic).
 - A description of the underlying/root causes and the impact.
- **Section 2 – Set of recommendations to improve the organization’s financial and administrative procedures, including potential adjustments to the organizational structure.**

Following to the presentation of the final report, a debriefing meeting will be organized with the relevant DRF staff and, possibly, the Board of Directors and/or Finance/Audit Committee.

6. Duration of the assignment and expected schedule for the deliverables

The assignment is expected to require approx. 50 working days beginning on the day of the signature of the contract:

| Deliverable | Deadline |
|---|---|
| Synthetic inception report and work plan | 7 calendar days after the contract is signed |
| 1 st draft report, containing the sections indicated above | By August 15 th , 2023 DRF will submit comments and requests for amendments, if any, within 15 working days |

| | |
|--|--|
| Final report, containing the three sections indicated above and responding to DRF's comments and requests for amendments, if any | No later than 10 working days after receiving DRF's comments |
|--|--|

7. Consultancy fees

The maximum budget for the assessment is 40,000 US Dollars. The payment schedule is as follows:

| Deliverable | Payment |
|--|---------|
| Synthetic inception report and work plan | 10% |
| 1 st draft report, containing the sections indicated above | 30% |
| Final report, containing the sections indicated above and responding to DRF's comments and requests for amendments, if any | 60% |

8. Governance and support from DRF

The contractor will provide the above services and will provide progress updates upon DRF's request. At the beginning of the assignment, a focal point will be designated within the DRF management to serve as the assessment lead and will work with the contractor.

DRF will ensure the timely submission of relevant materials for assessment and guidance to the contractor.

9. Evaluation and qualification criteria

In addition to complying with the mandatory requirements, the following criteria will be assessed in the evaluation of the proposal received according to the following grid:

| Criteria | Assessment | Percentage |
|---------------------|---|------------|
| Prerequisite | Meeting of the minimum requirements: please refer to par. "Minimum requirements", par. 4. | - |

| | | |
|---|---|-----|
| Financial offer | <p>Formula: $Points = MPs \times (Tfo/Lvo)$</p> <p>Where: Points = Points given to the tenderer's financial offer MPs = Maximum value attributed to the financial offer Tfo = Tenderer's financial offer Lvo = Lowest valid offer</p> | 20% |
| Technical proposal | Evaluation by the advisory committee on a scale from 0 (minimum score) to 50 (maximum score) | 50% |
| Additional experience in reviewing financial procedures applicable to the US regulatory system | 2 points per demonstrated year of experience, up to a maximum of 10 points | 10% |
| Additional experience in reviewing financial procedures in not-for-profit settings and grantmaking mechanisms | 2 points per demonstrated year of experience, up to a maximum of 10 points | 10% |
| Additional experience in reviewing financial procedures of organizations operating outside the USA, preferably in the Global South | 2 points per demonstrated year of experience, up to a maximum of 10 points | 10% |

10. Process for Interested Parties

Interested parties shall submit:

- Curricula Vitae of the team members.
- A synthetic technical proposal of assessment outline (max. 10 pages).

- All pieces of evidence to demonstrate compliance with the minimum requirements and additional assessment criteria listed above.

All documents shall be submitted in English by email only to

procurement@disabilityrightsfund.org by June 12th, 2023 at 6:00 pm Boston ET time. All inquiries on the selection process shall be submitted to the same email address.

Interested parties must comply with the proposal requirements described in this ToR in order for DRF to fully and properly evaluate each proposal. DRF reserves the right to reject any proposal that is not in compliance with the ToR, including without limitation any proposal that is incomplete, is conditional, or contains irregularities of any kind; provided, however, that DRF also reserves the right to waive any such non-compliance.

Before submitting a proposal, interested parties must thoroughly examine the ToR and familiarize itself with applicable laws and regulations and any other circumstances or conditions that may affect the cost or performance of the requested services. Failure to familiarize itself with the ToR will not relieve the proposer from any obligation with respect to its proposal or any contract that may be entered into with DRF. The submission of a proposal will constitute a representation by the bidder that it understands and has complied with every requirement of the ToR.

DRF reserves the right to amend the ToR at any time. Any amendments to the ToR will be issued through written addenda. DRF will provide copies of each addendum to all interested parties who, according to DRF's records, received the ToR. Addenda will be sent via e-mail to the e-mail address provided by the bidder. Any addenda so issued will become part of the ToR. Each bidder is responsible for determining that it has received all addenda issued, and failure of a bidder to receive an addendum will not relieve such proposer from any obligation under its proposal as submitted or any contract subsequently entered into with DRF.

Any clarifications or interpretations and any supplemental instructions or forms, if issued, will be issued in the form of written addenda prior to the deadline for submitting proposals. Oral clarifications, interpretations, instructions, or other communications will be of no effect. DRF will not be responsible for, and a proposer may not rely upon, any information, explanation, or interpretation of the ToR rendered in any fashion except as provided herein.

The ToR is not binding on DRF. DRF reserves the right to amend or withdraw the ToR at any time its sole discretion before the execution of a contract. In such event, DRF will not be liable to any bidder for any costs incurred by it as a result of the amendment or withdrawal of the ToR. The ToR has been prepared solely to solicit proposals and is not a contract offer. The only document that will be binding on DRF is the contract duly executed by DRF and the selected service provider after the completion of the selection process and the award and negotiation of the contract.

Time is of the essence in submitting proposals. Interested parties are cautioned to allow ample time to prepare and transmit their proposals. All portions of and attachments to any proposal must be received by the proposal deadline.

Any proposal may be withdrawn by the bidder or its duly authorized representative by written notice received prior to the proposal deadline by DRF at the address specified above for receipt of proposals.

At any time prior to the proposal deadline, a bidder may submit an amendment to a proposal previously submitted. Any such amendment must be submitted in writing in the same manner as the original proposal. DRF reserves the right to disregard any amendment submitted that does not indicate clearly and precisely the proposed modifications to the original proposal.

DRF reserves the right to reject any or all proposals if it determines that such action is in the best interests of DRF.