

Project Administration Instructions

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RECRUITING INDIVIDUAL CONSULTANTS PART C: FOR STAFF CONSULTING ASSIGNMENTS

A. Introduction

1. This project administration instruction (PAI) provides guidelines on recruiting consultants for staff consulting assignments. Also read PAI 2.01, which provides general guidelines on recruiting consultants.

B. Policies

2. The Asian Development Bank (ADB) often recruits individual consultants to supplement its staff by providing specialized expert knowledge and advice for limited periods. User divisions fund these staff consulting assignments from their administrative budgets.

3. Staff consulting assignments do not normally include work that could be considered as providing technical assistance (TA) to member countries, because ADB finances this work through TA operations.

4. Individual consultants are more appropriate than firms when the assignment is straightforward and does not require a team of experts and extra support from the consultant's home office. ADB's main requirements are the consultants' qualifications and experience.

5. Individual consultants engaged by ADB may be independent individual consultants, regular full-time employees of consulting firms, or independent individual consultants recruited by a firm for a particular assignment.

6. ADB categorizes individual staff consulting assignments as

- international if they require international experience, and individual consultants from all ADB member countries may apply and be considered; or
- national if they require expertise available only in the assignment country, and only nationals of the assignment country may apply and be considered.

Nationals of the country concerned who have extensive international experience may be considered as international consultants for assignments that require an international level of expertise. (Extensive international experience is generally defined as having been recruited for three or more contracts at an international level, but also includes individuals of internationally acknowledged expertise in their professional fields.)

7. Individual staff consulting assignments should include specific, time-bound outputs, for example, providing technical expertise during a fact-finding, appraisal, or review mission; writing a policy paper; or developing computer software. The terms of reference (TOR) should clearly identify the outputs and the expected completion dates.

8. When necessary, individual staff consulting assignments may include ongoing work that is similar to the work regularly performed by ADB staff. The usual circumstances are that

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- staff are not available for the assignment, for example during peak work periods or because staff are on leave;
- ADB's staff skills-mix needs to be supplemented, for example when ADB staff do not have the required expertise and experience; or
- ADB requires specialized expertise for a limited period but not on an ongoing basis.

However, the length of these assignments should be limited, not lasting for extended periods, and the purpose should be specific.

9. In the unusual case that individual staff consulting assignments do not have specific time-bound outputs they must generally last less than 1 year. Without specific time-bound outputs, a proposal to engage, extend, or reengage a staff consultant for a total of 1 year or more during any 2-year period will be approved only in exceptional circumstances.

10. Long-term engagements are for 1 year or more and are defined as follows:

- initial engagements or extensions of engagements for a total period of 12 months or more;
- reengagements for full-time work that bring the total period of engagements with ADB to 12 months or more during any 24-month period; or
- reengagements for intermittent or part-time work that bring the total period of engagements with ADB to 264 or more working days in any period of 528 working days.

The periods used are the 24 months or 528 working days ending on the day the current proposed assignment ends.

C. Procedures

11. Individual consultants are recruited by ADB through the web-based Individual Consultant System (ICS). The procedures for recruitment are summarized below and outlined in Appendix 1. The help section of the ICS provides more information on the procedures to be followed.

D. Deciding on the Type of Assignment and Preparing Terms of Reference

12. The user division decides the type of assignment and develops the TOR in the ICS, in the standard format provided. The division then identifies the assignment level and professional group in accordance with the guidelines in the ICS.

E. Preparing Cost Estimates

13. The user division next develops cost estimates for the assignment in the ICS. It also enters the estimates into the staff consultant system.

14. The ICS generates a remuneration rate for international independent individual consultants. This rate is used only for budget purposes, and the Central Operations Services Office (COSO) will not

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necessarily offer it to the selected candidate. The offered rate will depend partly on the candidate's qualifications.

F. Selecting or Ranking Candidates

15. The user division identifies qualified candidates from the Consultant Management System (CMS); advertising and expressions of interest; consulting firms; universities; research institutes; and other sources.

16. The user division uses single-source selection to select the most qualified candidate if

- the assignment will last 3 months or less, or
- the assignment is either national at any level or international at level 2 to 5, or
- the candidate is not a former ADB staff member or the spouse of a current ADB staff member.

If the user division proposes to apply SSS in the above circumstances to recruit the same individual for an assignment when such individual has been recruited for three (3) assignments by such user division within the previous 12-month period, COSO may request such user division to justify why such repeated recruitment is preferred and, if endorsed, will monitor the recruitment

17. The user division may use SSS¹ to select a candidate who is not a former ADB staff member for an assignment exceeding 3 months, or for an international assignment at level 6 or above, in special cases with justification. For example, when a candidate is clearly better qualified than any other because he or she previously completed a similar assignment for ADB and performed satisfactorily. The division consults COSO and then submits a recommendation for SSS to the head of the user department or office for approval. The division enters the selected candidate's details into the ICS, in the standard format provided.

18. The user division selects a short list of three candidates if:

- the assignment will last longer than 3 months, or
- the assignment is international at level 6 or above, or
- the division is considering a former ADB staff member or an ADB spouse.

For such cases, the user division will be required to advertise all positions on ADB website [consulting services recruitment notice (CSRN)] for a minimum period of seven (7) calendar days. The short list should represent a reasonable geographic balance of ADB's member countries, with normally no more than one candidate from any member country and will be derived from: (i) screened EOIs/CVs following the advertisement, (ii) CMS, and (iii) other sources. Prior to entering the short-listed candidates' details into the ICS, the user division will be required to confirm through an email to the assigned procurement specialist that: (i) positions were advertised, (ii) number of EOIs received, and (iii) number (if any) of EOIs/CVs shortlisted. The user division then enters the short-listed candidates' into the ICS and evaluates and ranks them using the qualification sub-matrix. The results are expressed as qualification grades (QGs) ranging from 0 to 100. The QG for each candidate must equal or exceed the minimum for the assignment level.

¹ For spouses of ADB staff, please refer to PAI 2.01, Part C, paragraph 15.

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G. Clearing Candidates and Checking Availability

19. The user division

- checks the performance evaluation report ratings in the Technical Assistance Information System for previous engagement to ensure that the performance was satisfactory;
- sends a noncommittal inquiry letter and the TOR to the directly selected or first-ranked candidate to confirm that he/she is available, determine if he/she has any close relative working for ADB, and determine if he/she is a former ADB staff member; the inquiry letter includes an affidavit of good health for the candidate to complete and return if he/she is under 70 years old or, if 70 years or older, a medical certificate for the candidate's doctor to complete; the user division may ask younger candidates for a medical certificate when it has doubts about their health, or when the assignment is physically demanding;
- obtains clearance from the Budget, Personnel, and Management Systems Department (BPMS) for any former ADB staff, vice-president, or Board member who has not previously worked for ADB as a consultant, as well as for the spouse of a current ADB staff member;
- obtains clearance from the Office of the General Counsel (OGC) for any legal experts and from the Office of Information Systems and Technology for any information technology experts; and
- sends the candidate's or candidates' names to the government, and asks if it objects to any based on previous experience with them; for regional TA this is done only when the governments' clearance is relevant and needed, for example in order to ensure that visas are issued; the user division must make this decision.

20. If a candidate is not cleared, is unavailable, has close relatives in ADB, or does not submit a satisfactory affidavit or medical certificate, the user division reevaluates the selection or short list.

21. The user division keeps records of these clearances until the consultant completes the assignment.

H. Obtaining Endorsement or Approval of Assignments

22. The user division must submit a memo to obtain endorsement or approval for some types of staff consulting assignments. The types of assignments and the approval authorities are as follows:

- Assignments longer than 60 calendar days but not long term are endorsed by the Director, Budget and Management Services Division (BPBM). When making the request, for endorsement, the user division attaches the cost estimates to its memo.
- Assignments that are not long term and for which the user department or office does not have sufficient budget are endorsed by the head of the user department or office and approved by the Director General, BPMS. When making its request for endorsement the user division attaches to its memo the TOR, the cost estimates, and the CV of the selected or first-ranked candidate.

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- Long-term assignments are endorsed by the head of the user department or office and the Principal Director, COSO, and approved by the Director General, BPMS. Note that long-term assignments without specific time-bound outputs are approved only in exceptional circumstances. The recommendation memo must include detailed justification of the rationale and purpose, establishing that the circumstances are among those listed in paragraph 8 and that a staff member cannot perform the work. When making its request for endorsement the user division attaches to its memo the TOR, the cost estimates, and the curriculum vitae (CV) of the selected or first-ranked candidate.

23. The user division keeps a record of the approval until the consultant completes the assignment.

I. Asking COSO to Engage Candidates

24. After obtaining the required approvals, the user division uses the ICS to submit a request for COSO to engage the selected or first-ranked candidate. User divisions should anticipate their needs for individual staff consulting assignments and submit requests with sufficient time about two weeks before the start of the assignments for COSO to complete the engagements.

25. The ICS first routes the request to the director of the user division, who endorses it, including the TOR, assignment level, professional group, and candidate's or candidates' QG.

26. The ICS next routes the request to the head of the user department or office, who either approves it or, if it is already approved, endorses it.

27. The ICS thirdly routes the request to COSO, which checks it, particularly the assignment level, professional group, and QG. When COSO considers a request inaccurate it may change it. The user division is informed why the request was considered inaccurate

J. Deciding the Remuneration and Sending an Offer

28. COSO decides the remuneration it will offer for the assignment in the following way:

- for independent candidates for international assignments, using the remuneration matrix based on the assignment level and professional group;
- for candidates for international assignments who are full-time employees of firms, by negotiating with the firms based on the supporting documents the firms submit and using the remuneration matrix as a reference; or
- for candidates for national assignments, based on COSO's data on local market rates.

29. COSO then sends an offer and contract to the selected or first-ranked candidate.

K. Negotiating the Remuneration

30. COSO's offered remuneration is normally nonnegotiable. When a candidate rejects an offer, COSO consults the user division and normally sends an offer to the second-ranked or an alternative candidate.

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31. For national assignments, and for international assignments when the candidate is provided by a firm, COSO may negotiate the remuneration if it considers there is sufficient justification.

32. For international assignments when the candidate is independent, COSO negotiates the remuneration only in exceptional circumstances, such as when the user division requires expertise that is unique and market demand exceeds supply. In these cases, the approval authorities for increasing the offered remuneration are as follows:

- the COSO unit head, in consultation with the relevant COSO director if the proposed remuneration is higher than that determined by the remuneration matrix but lower than maximum fee, or
- the head of the user department or office if the proposed remuneration exceeds the maximum fee.

COSO keeps copies of these approvals to increase offers and the justifications in the consultants' contract files.

33. COSO notifies the heads of user departments and offices half-yearly of the number of approved increased offers to international independent staff consultants. COSO also provides the heads of user departments and BPBM with annual statistics on high-cost consultants, for information and appropriate action.

L. Finalizing the Contract

34. After COSO and the candidate agree on the terms of the assignment, the candidate signs the contract and returns it to COSO. This completes the engagement.

35. The user division then sends the consultant a notice to proceed and the consultant starts the assignment. The user division also advises any unsuccessful short-listed candidates who received noncommittal inquiries that another candidate was engaged.

M. Termination

36. When the user division proposes to terminate a contract for a staff consulting assignment, it first consults COSO and OGC. If the user division decides, after consultation, to terminate the contract, the user division notifies the consultant in writing. Then the user division asks COSO to send a written notice to the consultant in accordance with the provisions in the contract.

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