



## **TERMS OF REFERENCE (Individual Contractor Agreement)**

Title: Procurement Specialist (Contract Management)

Duty Station: Mexico City, Mexico

Section/Unit: LCR, MXPO

Contract/Level: ICS10 - IICA2

Duration: Ongoing

Supervisor: Project Senior Manager

### **1. Background Information and organizational context**

The United Nations Office for Project Services (UNOPS) is a United Nations entity responsible for infrastructure, procurement and project management (General Assembly Resolution 65/176 of 2010). Our mission is to help people build better lives and countries achieve sustainable development. UNOPS is a service provider, a technical advisor and an implementer of projects to support our partners.

i) **Sustainable Infrastructure:** UNOPS designs, builds, repairs and maintains infrastructure in some of the most challenging environments in the world. Its activities are focused on the development of transportation, education and health infrastructure, among other areas.

ii) **Public procurement:** UNOPS is a central procurement resource for the United Nations system and governments. It emphasizes an efficient, transparent and sustainable delivery of goods and services.

iii) **Project management:** UNOPS manages more than a thousand humanitarian, development and peacebuilding projects per year for different partners, ensuring quality, effectiveness and results that meet the highest standards.

UNOPS work seeks environmental, social and economic sustainability, which contributes to the progress of equity and the common good of the countries in which it operates, thus promoting the improvement of the living conditions of the most needy people. UNOPS has a presence in 23 countries in Latin America and the Caribbean. Our services, products and technical assistance comply with the principles of the public administration of transparency, equity, integrity, free competition, impartiality, morality, effectiveness, efficiency and respect for national institutions.

In line with the framework agreement signed with the Government of Mexico, UNOPS supports the different collaboration initiatives by the government that are aimed at the fight against corruption and transparency in public management; as well as in exercises aimed at



strengthening government actions in the areas of acquisitions, infrastructure and management of high impact projects in Mexico. The work requires strategic and operational perspectives, management of resources ensuring transparency, effectiveness and efficiency that promotes the development and continuous strengthening of internal management in order to ensure high quality results, in accordance with the needs of the partner in Mexico.

The objective of the project is to support the Government of Mexico in its effort to guarantee the right to health to the largest number of inhabitants through the planning and management of the consolidated purchase of medicines (period 2021-2024), as well as assistance in the profiling of the system and model of consolidated purchase of medicines for the health sector of the Government of Mexico. This project has 2 main components:

- COMPONENT 1 (Transparent Procurement of Pharmaceuticals) - Management of multi-year consolidated purchase of medicines (supply of needs during the period 2022-2024).
- COMPONENT 2 (Strengthening of national capacities) - Strengthening and capacity building to the consolidated purchase model of medicines for the health sector of the Government of Mexico.

## **2. Functional responsibilities**

Under the guidance and direct supervision of the Project Senior Manager, and in close coordination with the Procurement Unit Manager, with the Supply Chain Management Specialist, and with the Technical and Pharmaceutical Quality Assurance Expert, the Procurement Specialist (Contract Management) is responsible for the development and implementation of strategic and effective contract and suppliers management and administration reflecting international contract management emerging best practices, compliance with UNOPS procurement policy, rules, regulations and procedures, ensuring that all parties to the contract fully meet their respective obligations as efficiently and effectively as possible, delivering the business and operational outputs required from the contract, with appropriate risk and opportunities management and obtaining the best value for money from the acquisition of health sector goods and services.

The Procurement Specialist (Contract Management) ensures that roles, responsibilities and obligations are clearly allocated among the parties and proper systems and procedures are put in place to monitor performance and keep efforts well focused.

He/she analyzes and interprets the respective rules and regulations and provides advice and solutions to a wide spectrum of complex issues related to contract management. The role



requires a deep understanding of contract management policy and processes and the Procurement Specialist (Contract Management) should be able to apply them to the appropriate situations and effectively deal with potential changes and disputes, in addition to responsibility for the deliverables of the work team, the incumbent's work is focused on strategic relationship building and demand management, mainly referred to aggregation and dealing with complex organizational structures, preparation of business cases and understanding of the supply market, as well as sharing knowledge with projects in order to achieve reductions of costs and savings.

Maintaining the highest degree of personal and professional ethics, the Procurement Specialist (Contract Management) develop strong internal and external relationships that facilitate contract delivery, also promoting a collaborative, client-focused, quality and results-oriented approach in the Business Unit (UNOPS Mexico), forming cross-functional relationships with colleagues from multiple areas.

The Procurement Specialist (Contract Management) works in close collaboration with the programme/project colleagues in UNOPS Mexico and Latin America and with UNOPS HQ personnel, particularly with the Procurement Group (PG), as well as the Government officials, to successfully deliver procurement services.

The Procurement Specialist (Contract Management) will work in close cooperation with the Business Unit (UNOPS Mexico) and the Project Senior Manager and report to the management on central issues related to procurement & contract management activities.

S/he supervises and leads contract management personnel to deliver work results, in close cooperation with the leadership team in the "Project for Procurement of Medicines and Medical Supplies - FarmaMex". S/he will have the following key responsibilities:

- I. Planning and governance (Prepare for contract management and providing oversight)
- II. People management (Ensure the right people are in place to carry out the contract management activities)
- III. Contract performance management (Ensure the service is provided in line with the contract)
- IV. Contract administration and development
- V. Management of contractual and supplier risk
- VI. Supplier relationship management and development (Improving supplier performance and capability)



VII. Market management (Managing the wider market issues that impact on the contract, but lie beyond the supplier)

**I. Planning and Governance**

- Develop and establish a planned transition from the tendering/contract award phase to the contract management phase, and a handover to contract manager where contract ownership is clear and there is continuity of governance as far as possible;
- Develop and establish well-defined processes and a clear contract management plan, with a focus on outputs and a 'whole life' approach to performance and responsibility for driving organisation-wide contract management performance;
- Ensure professional contract management guidance is developed, or identified from internal/external sources, and made available to contract managers;
- Ensure contract management processes are aligned with, among others, wider organisational governance processes, operational boards, and risk structures;
- Ensure contract management issues and performance are reported through the governance structure with senior level engagement;
- Ensure regular assessment and evaluation takes place to ensure that the cost of contract management activities is justified and proportionate to the benefits obtained.
- Ensure knowledge management is embedded, capturing key data and lessons from contract management process and experience both within the organisation and more widely.

**II. People management (Ensure the right people are in place to carry out the contract management activities)**

- Ensure balanced contract management teams are brought together, with an appropriate range of skills ( teams may vary in composition over the life of the contract to meet specific needs);
- Ensure contract management is adequately resourced, in proportion to the importance of the contract (primarily but not exclusively its cost), and there are enough personnel to carry out the required activities;
- Ensure the contract manager has a detailed knowledge of the contract and other relevant issues, such as service level agreements, and ongoing supplier performance (ideally through involvement during the tendering/contract award processes and a handover from the staff responsible for the tendering/contract award).
- Ensure the contract manager has the appropriate skills (both specific contract management skills and more general commercial awareness and expertise), with access to relevant training and development.

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- Ensure contract managers have accurate job descriptions, roles positioned at an appropriate level and salary;
  - Ensure contract managers have clear objectives and reporting lines and their performance is managed through reviews and appraisals.
  - Ensure the contract manager has appropriate delegated authority to manage the contract effectively;
  - Enable and stimulate the establishment of a strong contract management 'network' allowing contract managers to share good practice. The network may also play a role in the wider government contract management/ procurement community.

### **III. Contract performance management (Ensure the service is provided in line with the contract)**

- Ensure service management is well structured; baselines are understood by both parties, and suppliers understand the service they are required to deliver and it is provided with the information and contacts needed to deliver the service.
- Developing a comprehensive, objective performance management framework to be in place when the contract is signed, providing incentives for the supplier to meet or exceed agreed performance standards;
- Ensure service levels agreements are in place, and are linked to project needs, understood by the supplier, and monitored by the contract manager and/or end users;
- Ensure supplier performance is assessed using clear, objective and meaningful metrics, linked UNOPS rules and regulations;
- Establish clear processes to handle operational problem resolution and resolve issues as quickly as possible;
- Ensure regular and routine feedback is given to suppliers on their performance;
- Ensure users understand what the contract is intended to deliver, and are involved in the assessment of supplier performance where relevant;
- Ensure users understand escalation routes where issues arise;
- Establish formal methods for changes in user requirements to be captured and considered as part of formal change and contract management processes;
- Ensure formal performance reviews are carried out with suppliers, with documented improvement plans agreed where necessary, covering both operational issues and adherence to key contractual requirements, for example, on data security.

### **IV. Contract administration and development**

- Ensure contract management software is used for recording key information, to give, for example, search capability so that relevant ongoing contract management

information and documentation is retained, managed and easily accessible when required;

- Put in place mechanisms (preferably technological ones) for identifying key contract 'trigger points', such as notice periods, sanitary certificates and /or goods expiration dates;
- Develop indicators and dashboards and maintain regular and ad hoc reporting of contract management information;
- Establish procedures for handling administration around contract closure or termination;
- Ensure payments are made to the suppliers in line with the contract and payment mechanisms are documented, clear and well understood by all parties (including incentives, penalties, and non standard charges);
- Ensure appropriate checks and authorisation processes are in place for paying invoices;
- Propose and establish incentive structures (financial or non-financial) clearly related to desired outcomes, to be well managed and governed, with appropriate checks and approval mechanisms;
- Establish clear processes for the management of minor changes and contract variations, with a focus on the cost/effort being proportionate to the importance and value of the change;
- Ensure that dispute handling processes are in place to handle change-related issues;
- Ensure that both parties have a clear understanding of the arrangements for any extension of the contract (both scope and time-related) and other related issues;
- Ensure that processes are in place to handle commercial (financial) changes to the contract in a fair and structured manner.

#### **V. Management of contractual and supplier risk**

- Ensure contractual/supplier risk management is in place with clear responsibilities and processes, identification of who is best placed to manage risk, and supplier involvement where appropriate;
- Ensure risks are formally identified and monitored regularly, with mitigating actions developed and implemented where possible, and 'obsolete' risks removed from consideration where appropriate;
- Establish and communicate escalation and reporting routes for risk governance;
- Develop contingency plans to handle supplier failure (temporary or long-term failure/default); exit strategies are developed and updated through the life of the contract;

- Ensure contractual terms around security and confidentiality (particularly issues relating to the security/confidentiality of personal data), warranties, indemnities, insurance, termination are understood and monitored by the contract managers;
- Establish mechanisms for the monitoring of supplier's financial health and business performance (including through the use of credit rating agencies) as well as supplier's compliance with contractual 'non-performance' issues (for example, on tax and sustainability targets).

#### **VI. Supplier relationship management and development (Improving supplier performance and capability)**

- Plan and structure a supplier relationship management programme with appropriate governance, senior ownership and a clear sense of what value is to be generated for both parties;
- Develop mechanisms for knowledge and innovation capture and sharing from suppliers where necessary or valuable.
- Clearly set out how supplier development activities will be planned, managed and governed, focusing on continuous improvement and achieving value for the project;
- Carry out joint working or shared activities between the two parties for the benefit of both the supplier and partner (for example, process improvement, shared training or task forces);
- Implement supplier improvement activities relating to wider government initiatives (for example, on sustainability, disability employment issues, use of SMEs (Small and Medium-Sized Enterprises) and BMEs (Black Minority Ethnic suppliers)).

#### **VII. Market management (Managing the wider market issues that impact on the contract, but lie beyond the supplier)**

- Implement processes to evaluate and review options around delivering services in-house or outsourcing;
- Ensures market intelligence is used to maintain an understanding of the market and of alternative suppliers (to inform benchmarking, contingency planning and re-competition strategies);
- Analyse the capacity and capability of potential suppliers, linking to wider government analysis;
- Establish an ongoing evaluation of emerging technologies and practices, and identification of opportunities from both immediate and parallel market sectors;
- Ensure a re-competition strategy and plan is put in place in a timely manner when necessary.

### **3. Impact of results**

The effective and successful achievement of results by the Procurement Specialist (Contract Management) directly affects the overall efficiency of the region and specific project initiatives, in regards to contract management, impacting the timely and effective implementation of the respective programmes and the business unit's operations. Timely, market-aware, and accountable delivery of services, ensures business unit performance, efficiency and client satisfaction, which promote the image and credibility of the team and business unit as an effective service provider in project services and management. This enhances UNOPS' competitive position as a partner of choice in sustainable development and project services in Mexico.

### **4. Requirements**

#### **A. Education**

- o Advanced Degree preferably in Procurement and/or Supply Chain Management, Law, Commerce, Business Administration, Public Administration, Finance, Economics or related field.
- o A First University degree in combination with a minimum of seven (7) years' qualifying experience, may be accepted in lieu of the advanced university degree.
- o A Chartered Institute of Purchasing and Supply (CIPS) certification or similar international Certification is a distinct advantage.
- o Knowledge of UN/UNOPS Procurement Rules and Regulations is a distinct advantage.
- o Knowledge in the usage of computers and office software packages, preferably Google Suite or MS Office, alternatively.

#### **B. Experience**

- o A minimum of five (5) years' professional experience at the national and/or international level in developing and implementing operations and procedures to deliver a range of complex contract management services;
- o Experience in working with a range of stakeholders is required;
- o Experience supervising teams is required;
- o Experience with government contracts and with contract law in general is highly desirable;
- o Experience in health contracts management (pharmaceuticals, medical supplies, equipment) is highly desirable.
- o Experience working for organizations in the UN system is desirable.

#### **C. Languages**

- o Fluency in Spanish (both written and oral) is required.

- o An intermediate level of English (both written and oral) is required.

## Competencies



Develops and implements sustainable business strategies, thinks long term and externally in order to positively shape the organization. Anticipates and perceives the impact and implications of future decisions and activities on other parts of the organization.



Treats all individuals with respect; responds sensitively to differences and encourages others to do the same. Upholds organizational and ethical norms. Maintains high standards of trustworthiness. Role model for diversity and inclusion.



Acts as a positive role model contributing to the team spirit. Collaborates and supports the development of others. Acts as positive leadership role model, motivates, directs and inspires others to succeed, utilising appropriate leadership styles



Demonstrates understanding of the impact of own role on all partners and always puts the end beneficiary first. Builds and maintains strong external relationships and is a competent partner for others (if relevant to the role).



Efficiently establishes an appropriate course of action for self and/or others to accomplish a goal. Actions lead to total task accomplishment through concern for quality in all areas. Sees opportunities and takes the initiative to act on them. Understands that responsible use of resources maximizes our impact on our beneficiaries.



Open to change and flexible in a fast paced environment. Effectively adapts own approach to suit changing circumstances or requirements. Reflects on experiences and modifies own behavior. Performance is consistent, even under pressure. Always pursues continuous improvements.



Evaluates data and courses of action to reach logical, pragmatic decisions. Takes an unbiased, rational approach with calculated risks. Applies innovation and creativity to problem-solving.



Expresses ideas or facts in a clear, concise and open manner. Communication indicates a consideration for the feelings and needs of others. Actively listens and proactively shares knowledge. Handles conflict effectively, by overcoming differences of opinion and finding common ground.

## 5. Signatures

Incumbent		
Name	Signature	Date
Supervisor		
Name	Signature	Date