**REQUEST FOR EXPRESSION OF INTEREST**

**SELECTION OF INDIVIDUAL CONSULTANTS**

**REFERENCE NUMBER:** **CS/PROC/EDF/8.3/10/2021/04TPL**

**REQUEST FOR SERVICES TITLE:** **CONSULTANCY CONTRACT FOR LEGAL EXPERT IN SINGLE WINDOW TO REVIEW AND DRAFT LEGAL FRAMEWORK FOR IMPLEMENTATION OF THE COMESA ELECTRONIC SINGLE WINDOW SYSTEM**

1. ***The COMESA Secretariat*** is inviting Individual Consultants to submit their CV and Financial Proposal for the following services:

**CONSULTANCY CONTRACT FOR LEGAL EXPERT IN SINGLE WINDOW TO REVIEW AND DRAFT LEGAL FRAMEWORK FOR IMPLEMENTATION OF THE COMESA ELECTRONIC SINGLE WINDOW SYSTEM**

The Terms of Reference defining the minimum technical requirements for these services are attached as Annex 1 to this Request for Expression of Interest.

**2. Only Individual Consultants are eligible for this assignment**

**3.** The maximum budget for this contract is **Euro 15,000 *for expert service/consultants’ fees only.*** Proposals exceeding this budget will not be accepted.

**4**. Your Expression of Interest must be presented as per Expression of Interest Forms attached as Annex 2 to this Request for Expression of Interest, in the English language and be accompanied by copies of all the indicated supporting documents. If the supporting documents are not in English, these shall be accompanied by a certified translation into English.

**5.** Your application documents clearly marked and email bearing the subject **“****: CS/PROC/EDF/8.3/10/2021/04TPL -CONSULTANCY CONTRACT FOR LEGAL EXPERT IN SINGLE WINDOW TO REVIEW AND DRAFT LEGAL FRAMEWORK FOR IMPLEMENTATION OF THE COMESA ELECTRONIC SINGLE WINDOW SYSTEM*”***, should be emailed to the following address:

***procurement@comesa.int***

6. The deadline for submission of your application, to the address indicated in Paragraph 5 above, is:

***2 FEBRUARY 2021 AT 16:00 hours***

7. ***Physical submission of applications is NOT allowed.***

**8.** Your CV will be evaluated against the following criteria.

|  |  |  |
| --- | --- | --- |
|  | **Criteria**  | **Maximum points allocated**  |
| **1** | General qualifications | 20 |
| 2 | Adequacy for the assignment | 60 |
| 3 | Experience in the region | 20 |
|  | **Total** | **100** |

**9.** Your proposal should be submitted as per the following instructions:

(i) PRICES:

The financial proposal shall be inclusive of all expenses deemed necessary by the Individual Consultant for the performance of the contract.

(ii) EVALUATION AND AWARD OF THE CONTRACT:

Expressions of Interest determined to be formally compliant to the requirements will be further evaluated technically.

An Expression of Interest is considered compliant to the requirements if:

* It fulfils the formal requirements (see Paragraphs 2,3,4,5,6 and 7 above),
* The financial proposal does not exceed the maximum available budget for the contract.

The award will be made to the applicant who obtains the highest technical score. Expressions of Interest not obtaining a minimum score of 70% will be rejected.

(iii) VALIDITY OF THE EXPRESSION OF INTEREST:

Your Expression of Interest should be valid for a period of 90 days from the date of deadline for submission indicated in Paragraph 6 above.

10. The assignment is expected to commence within two (2) weeks from the signature of the contract.

11. Additional requests for information and clarifications can be made until 7 working days prior to deadline indicated in the paragraph 6 above, from:

The Procuring entity: ***COMESA Secretariat***

 Contact person: ***Ted Peter Luka***

E-mail: ***tluka@comesa.int******;***  ***smwesigwa@comesa.int******;***

The answers on the questions received will be sent to the Consultant and all questions received as well as the answers to them will be posted on the COMESA Secretariat’s website at the latest 3 working days before the deadline for submission of applications.

**ANNEXES:**

ANNEX 1: **Terms of Reference**

ANNEX 2**: Expression of Interest Forms**

**Sincerely,**

**Name:** Silver Mwesigwa

**Title:** Head of Procurement

**Date:** 11 February 2021

**ANNEX 1: TERMS OF REFERENCE**

**TERMS OF REFERENCE**

**SHORT TERM EXPERT – LEGAL CONSULTANT IN SINGLE WINDOW**

**TO REVIEW AND DRAFT LEGAL FRAMEWORK FOR IMPLEMENTATION OF THE COMESA ELECTRONIC SINGLE WINDOW SYSTEM**

1. **Background**

The COMESA Secretariat has designed a Trade Facilitation Programme under the EDF 11 Programme which aims at removal of non-tariff barriers (NTBs), lowering of trading costs at borders, improving trade infrastructure and automation of customs and transit systems. The actions planned under this Programme specifically complement COMESA’s plans to be a single trade and investment area in which tariffs, NTBs and other impediments to the movement of goods, services, capital and people will be removed. The general objective of the Programme is to contribute to deepening regional integration, improving inclusive regional economic growth and enhancing competitiveness of the COMESA region. The specific objectives include: to increase intra-regional trade flows of goods, persons and services by reducing the costs/delays of imports/exports by reducing NTBs across the borders, implementing the WTO TFA and COMESA Digital FTA Action Plan including the electronic certificate of origin (eCO), improving the coordinated border management (CBM) and trade and transport facilitation including electronic single window system (SWS), liberalizing the trade in services and movement of persons and supporting trade negotiations and trade promotion activities in the region.

In order to achieve the above mentioned plan, as part of the Result Area 3 of Trade Facilitation Programme under EDF 11, the Secretariat will need to contract one (1) Professional Legal Expert in Single window for three (3) Months to assist in undertaking comprehensive situational analysis on SWS implementation in the region and developing regional strategy and action plan to develop and implement Regional SWS to integrate/interface national and regional trade facilitation systems.

1. **Objective of the Consultancy Service**

The main objective of the consultancy service is to provide expertise and technical legal support to the Secretariat in undertaking reviewing and developing regional legal frameworks with view to implement regional electronic single window according to regional and international standards, WCO and WTO tools and best practices related to trade facilitation and single window as well as regional integration. in addition, the consultant also shall assist in developing regional strategy and action plan and TORs to develop and implement Regional SWS

1. **Expected Results**

The expected key results of the consultancy service include the following:

1. Report on review on existing regional legal environment on single window in comparison to international standards and best practices.
2. Regional legal and regulatory frameworks that support to develop, implement and operationalize regional single window;
3. Regional guidelines on implement regional electronic single window system; and
4. Regional strategy and action plans on development and implementation of the regional SWS.
5. **Duties and Tasks**

Under the direct supervision of the Team leader of the Programme and the overall supervision of the Directors of Trade and Customs, the Expert shall undertake the following duties:

1. Review and analyze existing legal environment that include legislation, regulations and directives and procedures related to single window and other COMESA trade facilitation instruments in comparison to international standards and best practices, using appropriate study methodologies.
2. Analyze similarities and differences of the Member States’ legal and regulatory frameworks associated to single window with view to developing and adopting standardized and harmonized legal frameworks across the region.
3. Provide policy and technical recommendations accompanied by action plan to improve/develop new legal frameworks and procedures required for the regional electronic single window;
4. Draft regional legal and regulatory frameworks that support to develop, implement and operationalize regional single window according to regional and international standards such as UN, WCO and WTO tools and best practices;
5. Draft standard regional guidelines and training materials on SWS that support development and implementation of the regional SWS;
6. Prepare presentations on SWS legal frameworks and procedures with view to sensitize and train stakeholders;
7. Assist in drafting TORs for procurement of a Software developing firm/consultant enterprise/ to develop the Regional SWS;
8. Assist in organizing regional and national meetings and trainings on SWS systems and other related matters; and
9. Work closely with the Secretariat staff and programme officers as well as the Member States in carrying out the task and undertake other related tasks as may be required by the supervisor or the Divisions of the Secretariat.
10. **Key Deliverables**

The Consultant will deliver the following outputs:

1. Periodical action plan and progress report of individual performance of the tasks;
2. Report on review and analysis of the existing national and regional legal environment on SWS and trade facilitation instruments implementation in COMESA region accompanied by policy recommendations;
3. Draft regional legal and regulatory frameworks that support to develop, implement and operationalize regional single window;
4. Draft regional guidelines on implement regional electronic single window;
5. Draft Regional Strategy and Action Plan for developing and implementing COMESA Regional SWS;
6. Presentations on legal analysis, draft regulatory frameworks and guidelines on regional SWS;
7. Draft TORs for procurement of a developing firm/consultant enterprise/ to develop and deploy the Regional SWS; and
8. Final report on the assignment supported by all required documentations and data.
9. **Qualifications and Experience Required**

The Expert to undertake the Consultancy service should have at least the following qualifications and experience:

1. University postgraduate (Masters) degree in International Trade Law, Customs Administration or border management or related fields and possess at least 10 years of relevant professional experience in related fields. An applicant with PhD will have an advantage
2. Proven in-depth knowledge on regional and international agreements, conventions, standards and guidelines such as the COMESA Treaty, WTO, WCO and UN particularly related to trade facilitation instruments primarily electronic single window system;
3. Proven in-depth technical knowledge and prior experience in analyzing and developing drafting laws and regulations associated to electronic single window systems, customs automation, international logistics, electronic transactions, e-business, e-government and related legal frameworks at national, regional or international levels;
4. Good knowledge and experience in project planning and management of electronic single window or similar ICT related projects; and
5. Excellent communication and reporting writing skills and command in English language. Knowledge of other COMESA official languages (Arabic or French) will be an advantage.
6. **Official Duty Station**

The Consultant will be stationed at the Headquarters of the Secretariat, in Lusaka, Zambia with travel to Member States. However, the Secretariat may allow the Consultant to work from home or online due to the COVID-19 pandemic situations provided that the expected deliverables of the assignment will not be affected.

1. **Duration of the Contract and Working Schedule**

The Consultancy assignment is for a total duration of three (3) months effective from the date of signature. During his contract period, the Consultant shall observe official working hours of the duty station. However, he may be expected to work beyond the official working hours at no extra cost.

1. **Supervision**

The Consultant works under the direct supervision of the Team Leader of Trade Facilitation Programme under the guidance of the Director of Trade & Customs Division.

1. **Reporting Requirements**

The Consultant will prepare and submit weekly and monthly progress reports and final report to the Team Leader of the Trade Facilitation Programme and copy to the Directors of Trade and Customs.

1. **Payment**

For the services rendered under this contract, the COMESA Secretariat will pay the Consultant an all-inclusive fee of EURO 5000 (Five Thousand Euros) per month which will be paid on satisfactory accomplishment of the tasks.

The Secretariat will pay for the travel to Lusaka for assumption of duty. In addition, when travelling on duty for purposes of this contract, the Consultant will be entitled to per diem allowance at the COMESA ruling rate for missions that will be undertaken as per the Terms of Reference. Where an authorized travel is sponsored by another organization or institution, the ruling rate of that institution shall apply.

1. **Sourcing Basis and Source of Funding**

The sourcing basis will be on competitive basis. The source of funding will be the EDF-11 COMESA Trade Facilitation Programme, ***Result Area 3, Activity Code 3.5.3.***

**ANNEX 2: Expression of Interest Forms**

[A. COVER LETTER FOR THE EXPESSION OF INTEREST FOR THE PROJECT 11](#_Toc267927845)

[B. CURRICULUM VITAE 13](#_Toc267927846)

[C. FINANCIAL PROPOSAL 17](#_Toc267927847)

#

# A. COVER LETTER FOR THE EXPRESSION OF INTEREST FOR THE PROJECT

REFERENCE NUMBER: CS/PROC/EDF/8.3/10/2021/04TPL

REQUEST FOR SERVICES TITLE:**CONSULTANCY CONTRACT FOR LEGAL EXPERT IN SINGLE WINDOW TO REVIEW AND DRAFT LEGAL FRAMEWORK FOR IMPLEMENTATION OF THE COMESA ELECTRONIC SINGLE WINDOW SYSTEM**

[*Location, Date*]

To: COMESA Secretariat

Dear Sirs:

I, the undersigned, offer to provide the consulting services for the ***CONSULTANCY CONTRACT FOR LEGAL EXPERT IN SINGLE WINDOW TO REVIEW AND DRAFT LEGAL FRAMEWORK FOR IMPLEMENTATION OF THE COMESA ELECTRONIC SINGLE WINDOW SYSTEM*** in accordance with your Request for Expression of Interests number *CS/PROC/EDF/8.3/10/2021/04TPL,* dated [*insert date*] for the sum of [*Insert amount(s) in words and figures*]. This amount is inclusive of all expenses deemed necessary for the performance of the contract in accordance with the Terms of Reference requirements.

I hereby declare that all the information and statements made in my CV are true and accept that any misinterpretation contained in it may lead to my disqualification.

My proposal is binding upon me for the period indicated in Paragraph 9(iii) of this Request for Expression of Interest.

I undertake, if my Proposal is accepted, to initiate the consulting services related to the assignment not later than the date indicated in Paragraph 10 of the Request for Expression of Interest, and to be available for the entire duration of the contract as specified in the Terms of Reference.

I understand you are not bound to accept any Proposal you receive.

Yours sincerely,

Signature [*In full and initials*]:

Name and Title of Signatory:

B. CURRICULUM VITAE

***[insert full name]***

|  |  |
| --- | --- |
| 1. **Family name:**
 | *[insert the name]* |
| 1. **First names:**
 | *[insert the names in full]* |
| 1. **Date of birth:**
 | *[insert the date]* |
| 1. **Nationality:**
 | *[insert the country or countries of citizenship]* |
|  |  |
| 1. **Physical address:**
2. **Postal address**
3. **Phone:**
4. **E-mail:**
 | *[insert the physical address]**[Insert Postal Address]**[insert the phone and mobile no.]**[Insert E-mail address(es)* |
| 1. **Education:**
 |  |
|  |  |
| **Institution:****[Date from – Date to]** | **Degree(s) or Diploma(s) obtained:** |
| *[indicate the month and the year]* | *[insert the name of the diploma and the specialty/major]* |
| *[indicate the month and the year]* | *[insert the name of the diploma and the specialty/major]* |

**10. Language skills:** (Indicate competence on a scale of 1 to 5) (1 – excellent; 5 – basic)

|  |  |  |  |
| --- | --- | --- | --- |
| **Language** | **Reading** | **Speaking** | **Writing** |
| *[insert the language]* | *[insert the no.]* | *[insert the no.]* | *[insert the no.]* |
| *[insert the no.]* | *[insert the no.]* | *[insert the no.]* | *[insert the no.]* |

|  |  |
| --- | --- |
| **11. Membership of professional bodies:**  | *[indicate the name of the professional body]* |
| **12. Other skills:** | *[insert the skills]* |
| **13. Present position:** | *[insert the name]* |
| **14. Years of experience:** | *[insert the no]* |
| **15. Key qualifications:** (Relevant to the assignment)*[insert the key qualifications]* |

**16. Specific experience in the region:**

|  |  |
| --- | --- |
| **Country** | **Date from - Date to** |
| *[insert the country]* | *[indicate the month and the year]* |
| *................* | *......................* |
| *[insert the country]* | *[indicate the month and the year]* |

**17. Professional experience:**

| **Date from – Date to** | **Location of the assignment** | **Company& reference person (name & contact details)** | **Position** | **Description** |
| --- | --- | --- | --- | --- |
| *[indicate the month and the year]* | *[indicate the country and the city]* | ***Name of the Company:******Address of the company:******Phone:******Fax:******Email:*** ***Name and title of the reference person from the company:*** | *[indicate the exact name and title and if it was a short term or a long term position]* | ***Name of the Assignment:*** ***Beneficiary of the Assignment:******Brief description of the Assignment:*** ***Responsibilities:*** |
| ................ | …………….. | ……………………. | …………… | ………………………………………………………………………….. |
| *[indicate the month and the year]* | *[indicate the country and the city]* | ***Name of the Company:******Address of the company:******Phone:******Fax:******Email:*** ***Name and title of the reference person from the company:*** | *[indicate the exact name and title and if it was a short term or a long term position]* | ***Name of the Assignment:*** ***Beneficiary of the Assignment:******Brief description of the Assignment:*** ***Responsibilities:*** |

1. **Other relevant information:** (e.g. Publications)

***[insert the details]***

***19. Statement:***

I, the undersigned, certify that to the best of my knowledge and belief, this CV correctly describes myself, my qualifications, and my experience. I understand that any wilful misstatement described herein may lead to my disqualification or dismissal, if engaged.

I hereby declare that at any point in time, at the COMESA Secretariat’s request, I will provide certified copies of all documents to prove that I have the qualifications and the professional experience as indicated in points 8 and 14 above**[[1]](#footnote-1),** documents which are attached to this CV as photocopies.

By signing this statement, I also authorize the COMESA Secretariat to contact my previous or current employers indicated at point 14 above, to obtain directly reference about my professional conduct and achievements.

|  |  |  |
| --- | --- | --- |
|  | Date: |  |

**ATTACHMENTS:** ***1) Proof of qualifications indicated at point 9***
 ***2) Proof of working experience indicated at point 15***

#

# C. FINANCIAL PROPOSAL

**REFERENCE NUMBER:** CS/PROC/EDF/8.3/10/2021/04TPL - CONSULTANCY CONTRACT FOR LEGAL EXPERT IN SINGLE WINDOW TO REVIEW AND DRAFT LEGAL FRAMEWORK FOR IMPLEMENTATION OF THE COMESA ELECTRONIC SINGLE WINDOW SYSTEM

Please insert your Total Financial Offer in both words and figures.

|  |  |
| --- | --- |
| **TOTAL FINANCIAL OFFER**  |  |

*[Please insert the Total Financial Offer in words]*.

Signature [*In full and initials*]:

Name and Title of Signatory:

1. ***The proof of stated qualifications shall be in the form of the copies of the degrees and diploma obtained, while for the professional experience the proof shall be either acknowledgement letters from the previous employers or copies of the Purchase Order/ Contract signed with them.***  [↑](#footnote-ref-1)