COMMON MARKET FOR EASTERN AND

### **SOUTHERN AFRICA**



**السوق المشتركة للشرق والجنوب الأفريقى**

###### MARCHE COMMUN

**REQUEST FOR PROPOSALS CONSULTANCY WORK** **THE DEVELOPMENT OF COMESA’S REGIONAL AfCFTA IMPLEMENTATION STRATEGY**

**REFFERENCE:CS/ADM/PROC/21/12/2021/ss**

**TERMS OF REFERENCE**

1. **INTRODUCTION AND BACKGROUND**

The Common Market of Eastern and Southern Africa (COMESA) is a regional economic community (REC) formed in December 1994. With a membership of 21 states, COMESA is the largest REC in Africa with a total population of about 540 million, and global trade in goods worth US$ 235 billion. COMESA’s vision is “***to be a fully integrated economic community that is prosperous, internationally competitive, and ready to merge into the African Economic Community”***. Consistent with this vision, COMESA’s main focus is to create a large economic and trading unit that is capable of overcoming some of the barriers and economic development challenges that its member states face.

COMESA has taken many strides to advance its economic integration agenda. In 2000, it established a Free Trade Area (FTA) among nine member states[[1]](#footnote-1) with the primary aim to facilitate regional integration through zero customs on goods traded amongst the members..  Since the launch of the FTA, intra-COMESA trade has grown at an average of 7% with a higher increase reflected between intra-Free Trade Area States. In 2009, COMESA launched a Customs Union, but it is yet to be fully operational. Subsequently, COMESA also launched a host of initiatives to enhance trade facilitation. These include, but are not limited to, projects to improve transport and communication systems and protocols for the hauling and processing of goods at borders.

**Background**

The agreement establishing the African Continental Free Trade Agreement (AfCFTA) signed in Kigali, Rwanda, on 21 March 2018 is a key milestone in Africa’s integration Agenda.

The AfCFTA aims to (a) create a single continental market for goods and services, with free movement of business persons and investments and thus pave the way for accelerating the establishment of the Continental Customs Union and the African customs union, (b) expand intra African trade through better harmonization and coordination of trade liberalization and facilitation regimes and instruments across RECs and across Africa in general, (c) resolve the challenges of multiple and overlapping memberships and expedite the regional and continental integration processes, and (d) enhance competitiveness at the industry and enterprise level through exploiting opportunities for scale production, continental market access and better reallocation of resources.

Its specific objectives as laid out in Article 4 of the Agreement include:

1. progressive elimination of tariffs and non-tariff barriers to trade in goods;
2. progressive liberalization of trade in services;
3. cooperation on investment, intellectual property rights and competition policy;
4. cooperation on all trade-related areas;
5. cooperation on customs matters and the implementation of trade facilitation measures;
6. establishment of a mechanism for the settlement of disputes concerning their rights and obligations; and
7. establishment and maintenance of an institutional framework for the implementation and administration of the AfCFTA.

Thus, the AfCFTA is expected to be a key engine of economic growth, industrialization and sustainable development in Africa in line with the 2030 Agenda adopted by the United Nations General Assembly, and the African Union (AU) Agenda 2063 for “The Africa We Want”.

For the COMESA region, the implementation of the AfCFTA provides the missing ingredient to intra-COMESA trade. First, it helps in addressing some of the challenges associated with multiple and overlapping membership in COMESA. This will be achieved through the harmonization of integration policies for the existing RECs and free trade areas. Secondly, the AfCFTA has potential to stimulate the formation of regional value chains to ease production and supply to the enlarged market. This should enable producers in the COMESA Member States to join the regional value chains (such as leather and leather products, textile, wood and paper, agro-foods, sugar, beverages, vegetables, fruit, nuts and rice, etc), which in the long term enhance their production efficiencies, increase their profit margins and ultimately integrate them into the global value chains. The AfCFTA therefore gives an opportunity for our producers to increase production and productivity and create more jobs especially for women and youth. Thirdly, the AfCFTA will help in reducing imports from external sources and increase intra-REC and intra-continental trade by opening more regional markets through improved infrastructure connectivity, and a larger market which will enhance competitiveness, increase value addition and productivity. Thus, the AfCFTA should play a major role in complementing COMESA’s efforts in creating greater market opportunities, triggering more trade and investment and allowing greater value addition.

Following AfCFTA launch there is a need to build on the political momentum behind the AfCFTA to support policy reforms that are aimed at its implementation. In this regard, it is critical for COMESA to develop measures and strategies at regional level to support its implementation to maximize the benefits of the Agreement while minimizing potential induced adverse effects. The measures and strategies will be complemented by an effective monitoring and evaluation framework that will track progress on the implementation of the Agreement.

But the AfCFTA can only support industrialization if it is properly implemented, and African countries have a mixed record on implementing the trade agreements they have signed through their regional economic communities (RECs). Most RECs have established functioning free trade areas, but not all member states participate, and those that do often fail to honour specific commitments. This gap between agreement and implementation has hampered trade growth in Africa and undermined the transformative potential of intra-regional trade. African countries must ensure that the AfCFTA avoids this implementation gap. Furthermore, today, many COMESA Member States face challenges when accessing regional markets which include stringent SPS requirements, quality standards, lack of market information, lack of linkages among enterprises in various countries, poor communication networks and inter-connectivity, lack of harmonized procedures and grading standards, transboundary animal diseases and competition from cheap imports from other regions.

1. **OBJECTIVES OF THE ASSIGNMENT**
2. Strengthen the capacity of the COMESA Secretariat to support the effective implementation of the AfCFTA, including proposing an appropriate mechanism for co-ordination, monitoring and evaluation of the Agreement;
3. Strengthen implementation capacities of the COMESA Member States to effectively implement the AfCFTA;
4. Strengthen capacities for the COMESA Member States to access and mobilize resources to support implementation including trade related requirements of the AfCFTA; and
5. Monitor the effective implementation of the AfCFTA to determine its on trade, industrialization and investment which will translate into economic development and transformation of the COMESA Member States as well as improved living standards.
6. **SCOPE OF SERVICES**

In order to meet the above objectives, the consultant will be expected to perform the following scope of work (or tasks):

1. Carry out desk research involving a comprehensive review of literature – official documents, study reports on the AfCFTA, etc) and other relevant literature in order to inform the development of a COMESA regional AfCFTA implementation strategy;
2. Consult officials of the COMESA Secretariat and seek their views on an AfCFTA regional implementation strategy, including developing an appropriate mechanism for coordination, monitoring and evaluation of the AfCFTA implementation at regional level, and an appropriate institutional structure needed to coordinate the implementation strategy and plan;
3. Conduct consultations with stakeholders in the Member States (trade officials, export promotion agencies, representatives of the private sector, non-state actors (economic operators, researchers, academia, civil society, development partners) to:
4. establish the steps taken to implement the AfCFTA and the emerging priorities that should be addressed through the regional implementation strategy and through the national level strategies;
5. review the resource constraints and recommend measures for mobilizing and accessing resources to support the AfCFTA implementation;
6. examine the policy, legislative, and institutional framework and recommend measures for improving the business environment during the AfCFTA implementation;
7. assess the quality of the statistics and suggest measures for strengthening the capacity for compiling and processing quality data to inform the effective implementation of the AfCFTA;
8. hold consultations with non-state actors, private sector representatives, and civil society organizations to assess their capacity for advocacy and lobbying, and propose measures for their effective participation in the implementation of the AfCFTA.
9. Suggest proposals for developing a mechanism with indicators to monitoring and evaluating the effective implementation to determine the impacts on trade, investment and industrialization.

The Consulting firm will be required to develop a clear methodology and approach to carry out the assignment. This should include both quantitative and qualitative methods to cover both economic and social impacts in line with the objectives and scope of work.

1. **DELIVERABLES**

The Consultant will be expected to deliver the following outputs:

1. An Inception Report: The Consultant will submit an inception report two weeks after signing of the contract;
2. A Draft Report: The Consultant will submit a draft report showing findings of the study, options, recommendations and rationale for discussion and comment Twelve weeks after commencement of the assignment.
3. A Final Report: The Consultant will submit two well-bound copies of a final report after incorporating the comments on the Draft Final Report. A copy shall also be submitted electronically on a diskette in word format. The Final Report shall be submitted Fifteen weeks after commencement of the assignment
4. **PROFESSIONAL EXPERIENCE**

The consultant for this study will be selected strictly on merit. The COMESA Secretariat reserves the right to select a consultant it deems best suited for the assignment. Ideally, such a person should:

1. Be a graduate of an internationally recognized university, with a Masters’ degree in Development Economics, International Economics, International Law, International Trade or a related qualification. Possession of a PhD will be an added advantage;
2. Have excellent knowledge of the region and at least 10 years’ consultancy experience on regional integration issues (particularly in the COMESA region) and demonstrate a good understanding of the region’s integration agenda, including trade policy issues;
3. Have a good understanding of COMESA’s regional economy and its development, the region’s integration agenda and its dynamics.
4. Possess strong analytical skills, excellent communication skills (both oral and written) as well as presentation skills.
5. **STUDY PERIOD AND REPORTING**

The study will be undertaken within 4 calendar months covering the 21 COMESA Member States. The expected start date of the assignment is February 2022.The Consultant shall work under the direct supervision of the Senior Research Fellow and overall supervision of the Director of Trade and Customs

1. **LANGUAGE**

The use of one of the COMESA official languages for the assignment is paramount. A combination of any two or all these languages will be an added advantage. However, the reporting language will be English.

1. **LEGAL FOR COMPETITORS:**

 The bid is open to all firms meeting the requirements in item number **V.**

1. **SUBMISSION OF APPLICATIONS**

The bidder shall submit their proposals via through email to:**Submission emails:** **procurement@comesa.int**

1. **DEADLINE FOR SUBMISSION OF PROPOSALS**

The deadline for the submission of proposals is 31st January 2022  **@15.00** Hours Zambian Time (GMT+2).

1. **LATE TENDERS**

 Any Tender received by COMESA after the deadline for submission of Bids shall be rejected. There shall be no exception to this requirement.

1. **EVALUATION AND COMPARISON OF PROPOSALS**
2. To assist in the examination, evaluation and comparison of Bids, COMESA may ask the Bidder for clarification of its Bid. The request for clarification and the response shall be in writing and no change in price or substance of the Proposal shall be sought, offered or permitted.
3. COMESA will examine the Proposals to determine whether they are complete, whether any computational errors have been made, whether the documents have been properly signed, and whether the Proposals are generally in order.
4. Arithmetical errors will be rectified on the following basis: If there is a discrepancy between the unit price and the total price that is obtained by multiplying the unit price and quantity, the unit price shall prevail, and the total price shall be corrected. If the Bidder does not accept the correction of errors, its Proposal will be rejected. If there is a discrepancy between words and figures, the amount in words will prevail.
5. Prior to the detailed evaluation, the Procurement Committee will determine the substantial responsiveness of each Proposal to the Request for Proposals (RFP). For purposes of these Clauses, a substantially responsive Proposal is one, which conforms to all the terms and conditions of the RFP without material deviations. COMESA’s determination of a Proposal's responsiveness is based on the contents of the Proposal itself without recourse to extrinsic evidence.
6. A Proposal determined as not substantially responsive will be rejected by the COMESA and may not subsequently be made responsive by the Bidder by correction of the non-conformity.
7. The bids will be evaluated as follows:
* The Bidder that has offered what is adjudged to be the best technical and financial offer will be offered the contract.
* If the Bidder that offered what was adjudged to be the best technical and financial offer declines to accept the offer then the Bidder that is adjudged to have offered the second best technical and financial offer will be offered the contract.
1. Technical bids shall be evaluated based on the following criteria;

Table 1: Criteria for Overall Technical Evaluation

| Criteria | % |
| --- | --- |
| T1 | Specific experience of the firm relevant to the assignment at hand( Evidence of having carried out similar assignment which should be in the form of (brochures, descriptions of similar assignments, experience in similar conditions etc.) | 10 |
| T2 | Adequacy of the proposed approach, methodologyand work plan * Technical approach and methodology- 15 **Points**
* work plan- 5  **Points**
* responsiveness to TORs- 10**Points**
 | 30 |
| T3 | The Team Leader/Project Manager to be responsible for the successful initiation, planning, design, execution, monitoring, controlling and closure of the project. The person should have: -* Be a graduate of an internationally recognized university, with a Masters’ degree in Development Economics, International Economics, International Law, International Trade or a related qualification. Possession of a PhD.
* Have excellent knowledge of the region and at least 10 years’ consultancy experience on regional integration issues (particularly in the COMESA region) and demonstrate a good understanding of the region’s integration agenda, including trade policy issues
* Have a good understanding of COMESA’s regional economy and its development, the region’s integration agenda and its dynamics.
* Possess strong analytical skills, excellent communication skills (both oral and written) as well as presentation skills.

**Minimum required number of team members: 4** | 60  |
|  | **Total** | **100** |
|  |  |  |

1. **MINIMUM TECHNICAL PASS SCORE IS 70%**

Only financial submissions of bidders achieving 70% of technical scores shall be considered for evaluation on least cost basis.

1. **TECHNICAL QUERIES**

For any technical queries related to terms of reference, kindly contact the Procurement Unit on the following email: procurement@comesa.int. copy conyango@comesa.int

1. **COST OF TENDERING**

The tenderer shall bear all costs associated with the preparation and submission of its tender, and COMESA will in no case be responsible or liable for those costs regardless of the outcome of the tendering process.

1. **ETHICAL CONDUCT**

COMESA requires that Tenderers observe the highest standard of ethics during the selection and execution of such contracts. For this provision, the Purchaser defines the terms set forth below as follows:

1. “Corrupt practice” means the offering, giving, receiving, or soliciting of anything of value to influence the action of an officer of the Purchaser in the tendering process; and
2. “Fraudulent practice” means a misrepresentation of facts to influence the tendering process to the detriment of the Purchaser.

COMESA will reject a proposal for award if it determines that a Tenderer has engaged in corrupt or fraudulent activities in competing for the contract in question.

1. **NOTIFICATION OF AWARD**

Prior to the expiration of the period of tender validity, the Purchaser will notify the successful tenderer in writing that its tender has been accepted.

The notification of award will signify the formation of the contract subject to the signing of the contract between the tenderer and COMESA.

Simultaneously the other tenderers shall be notified that their tenders were not successful.

1. **SIGNING OF CONTRACT**

Within fourteen (10) days of receipt of the contract, the successful tenderer shall sign and date the contract and return it to COMESA.

The Parties to the contract shall have it signed within thirty (30) days from the date of notification of contract award unless there is an administrative review request.

1. **CLOSING DATE OF TENDER**

Proposals must be submitted to the COMESA Secretariat on or before **31st January 2022** at **12 :00 hours LUSAKA TIME.**

1. **AWARD OF CONTRACTS**

COMESA reserves the right to wholly or partially reject or award these contracts to any bidder and has no obligation to award this tender to the lowest bidder

1. **FINANCIAL PROPOSAL - STANDARD BIDDING FORM**

Bidders are advised to use the standard tender Form below as sample format and modify it to cover all relevant costs or charges.

There will be no price variation tender.

Bidders are also advised to disclose any other relevant information on a separate sheet of paper.

**Financial proposal Form**

|  |  |  |
| --- | --- | --- |
|  |  |  AMOUNT IN USD |
|  |  |
| TOTAL PROFESSIONAL FEE  |  |  |
|  |  |
| OTHER RELEVANT EXPENSES  |  |  |
| VAT AND ALL OTHER TAXES |  | EXCLUSIVE  |
|  |  |  |
|  |  |  |

**Amount in words**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**Submitted by:**

**Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

END

1. Djibouti, Egypt, Kenya, Madagascar, Malawi, Mauritius, Sudan, Zambia, and Zimbabwe. Rwanda and Burundi joined in 2004 and the Comoros and Libya in 2006. There are currently 16 participating states with more COMESA members anticipated to join. [↑](#footnote-ref-1)