**REQUEST FOR EXPRESSION OF INTEREST**

**SELECTION OF INDIVIDUAL CONSULTANTS**

**REFERENCE NUMBER:** **CS/PROC/EDF/8.3/10/2022/01TPL**

**REQUEST FOR SERVICES TITLE:** **CONTRACT FOR STUDY ON ASSESSMENT OF TRADE IN SERVICES UNDER THE COMESA-EAC-SADC TRIPARTITE FREE TRADE AREA**

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

**CONTRACT FOR STUDY ON ASSESSMENT OF TRADE IN SERVICES UNDER THE COMESA-EAC-SADC TRIPARTITE FREE TRADE AREA**

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 assignment is **Euro 20,000 *for both expert service/consultants’ fees (Euro 15,000) and a reimbursable budget of Euro 5,000 to cover for organization of a virtual validation workshop .*** 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/8.3/10/2022/01TPL -CONTRACT FOR STUDY ON ASSESSMENT OF TRADE IN SERVICES UNDER THE COMESA-EAC-SADC TRIPARTITE FREE TRADE AREA*”***, should be emailed to the following address:

[***tenders@comesa.int***](mailto:tenders@comesa.int)

**with copy to: *tluka@comesa.int***

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

***15 FEBRUARY 2022 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***](mailto:tluka@comesa.int)***;***  [***smwesigwa@comesa.int***](mailto:smwesigwa@comesa.int)***;***[***ABagumire@comesa.int***](mailto:ABagumire@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:** 24 January 2022

**ANNEX 1: TERMS OF REFERENCE**

Logo, company name

Description automatically generated

**TERMS OF REFERENCE – REGIONAL CONSULTANCY**

**STUDY ON ASSESSMENT OF TRADE IN SERVICES UNDER THE COMESA-EAC-SADC TRIPARTITE FREE TRADE AREA**

**1. Background to the Assignment**

In June 2011, Member/ Partner States in the COMESA-EAC-SADC Tripartite formally launched negotiations for the Tripartite Free Trade Area (FTA) which was envisaged to be comprehensive covering not only trade in goods, but also trade in services and other trade related matters as well. It was, however, agreed that the negotiations will be in two phases, with the first phase covering negotiations on trade in goods and the movement of business- persons, and the second phase on Trade in Services and other trade related areas.

The Heads of State and Government of the Common Market for Eastern and Southern Africa (COMESA), East African Community (EAC) and Southern African Development Community (SADC) officially launched the COMESA-EAC-SADC Tripartite Free Trade Area (TFTA) in June 2015 and directed the commencement of Phase II negotiations covering trade in services, cooperation in trade and development, competition policy, intellectual property rights and cross border investments.

The 7th Meeting of the Tripartite Sectoral Ministerial Committee of Trade, Customs, Finance, Economic Matters and Home/Internal Affairs (TSMC) held in June 2018 decided to proceed with negotiations on Phase II issues under the TFTA and directed that priority be accorded to Trade in Services and Competition Policy. In addition, the 8th Meeting of the TSMC held in June 2019 observed the need for a more ambitious agreement in Trade in Services which is deeper than the AfCFTA in respect of scope and coverage.

In April 2021 however, at a TFTA Technical Working Group meeting on Trade in Services, some Member/Partner States raised some concerns and resolved to seek policy guidance from TFTA upper organs of the Tripartite to guide on modalities for continuing negotiations on Trade in Services under TFTA as negotiations were being affected by:

1. the persistent clash between REC and AfCFTA meetings which overstretch Member/partner state participation, both in terms of time and resources, especially considering the intensity of the AfCFTA work programme which was limiting capacity of Member/partner states to attend both REC and Tripartite meetings.
2. what appeared to some member/partner states to be a duplication of negotiations in Trade in Services under the TFTA and AfCFTA hence a need to determine the value adding processes in the negotiations under the TFTA in order to remain relevant.

Basing on the above concerns, the recent Tripartite Trade Negotiation Forum (TTNF) meeting held on 21-22nd June 2021 agreed that an analysis/assessment to determine the possibility of ambitious negotiations in Trade in Services under the TFTA which are deeper than the scope and coverage that is offered under the RECs and AfCFTA. The assessment is also expected to investigate any possible duplication of effort between RECs, TFTA and AfCFTA negotiations with a view of recommending modalities for avoiding any duplication if at all it exists. The assessment will look at human, financial and infrastructural capacity challenges among member/partner states and recommend modalities for overcoming the challenges to participate in the TFTA and other negotiations.

Regarding progress in negotiations, so far, the following has been achieved regarding the TFTA Trade in Services negotiations:

1. Modalities for the Tripartite Trade in Service Negotiations have been finalized and agreed,
2. A Draft Tripartite Protocol on Trade in Services is still under consideration and yet to be finalized,
3. Nine sectors have been identified from the REC priority sectors from which seven TFTA priority sectors will be identified, and
4. The Development of Negotiating Guidelines on the negotiations of the Schedules of Commitments and Regulatory Framework to start following the adoption of the Draft Protocol.

In order to provide a clear guidance and direction with regard to the Trade In Services negotiations amidst challenges related to three level negotiations (multiplicity), scheduling/planning of meetings and capacity constraints facing Member/partner States, the Tripartite Task Force through a collaboration between TCBP-II and Trade COM has therefore decided to engage a consultant to undertake an in-depth study on the assessment of the TFTA Trade in Services Negotiations to guide on modalities for streamlining them and make negotiation outcomes beneficial to member/partner states, avoid any possibility of duplication of offers at the RECs and AfCFTA and guide member states on overcoming resource and capacity constraints that may cripple trade in service negotiations.

**2. Description of the Assignment**

1. The objective of the assignment is to conduct an analytical study to assess past and on-going negotiations to provide proposals on modalities for progressing negotiations on trade in services at TFTA level in manner that adds value to the partner/member states, avoid any possible duplication between RECs and AfCFTA and provide recommendations on overcoming capacity constraints at member/states level that cripple negotiations in TFTA Trade in Services . This will be achieved through the following specific objectives:
2. Study of the legal framework for TiS at RECs, TFTA and AfCFTA and international best practices,
3. Undertake a Situation analysis of the ongoing and concluded negotiations in Trade in Services at RECs, TFTA and AfCFTA; identify the key gains, challenges and potential draw backs; profile the potential winners and losers and suggest possible mitigation measures for any undesired impacts to the Member/Partner countries,
4. Review of the priority sectors and status of negotiations of TiS therein at each of the levels and determine possible value adding processes in the negotiations at the Tripartite level,
5. Undertake comparative analysis of negotiations at RECs, TFTA and AfCFTA and identify the areas of complementarities and conflicts with a view of amplifying complementarity and avoiding conflicts,
6. Undertake comparative analysis of the gains from TiS liberalization under the TFTA vis-a-vis RECs and AFCTA given the sectors under negotiations and depth of integration in the three arrangements and determine how to add value at TFTA level that may not be possible at TREC and AFCFTA;
7. Evaluate the pros and cons of parallel negotiations at the RECs, Tripartite, Continental and WTO levels and recommend strategies to avoid duplication and modalities for participation in all negotiations by Member/Partner states amidst resources capacity constraints,
8. Determine key challenges and constraints facing the Tripartite Negotiations and provide recommendations on how to overcome them.

**3. Scope of Work**

The consultant is expected to conduct analytical work on the COMESA, EAC, SADC, TFTA and AfCFTA trade in services liberalization programmes covering the following:

1. Provide an overview of the current state of Trade in Services in the TFTA and the greater African region, and the potential for trade in services liberalization within the Continent basing on the Tripartite as a stepping stone; and hence recommend a deeper arrangement for the TFTA trade in services that adds more value to all the Tripartite Member/partner states that offers given at other levels.
2. Establish the complementarities and/or conflicts between the ongoing trade in services negotiations under the three RECs, the TFTA and the AfCFTA negotiations and provide workable/feasible modalities to streamline the negotiations process and avoid possible conflicts.
3. Based on the REC sector priorities, establish the advantages, benefits, potential gains, and losses if any, for the RECs and TFTA in proceeding with parallel negotiations on trade services negotiation with the AfCFTA negotiations and provide recommendations on elimination of potential losses.
4. Determine the sufficiency of level of capacity both human, infrastructural, and financial resources to conduct trade in services negotiation at the REC, Tripartite and AfCFTA levels and recommend the strategies on the three to enable uninterrupted progress on REC and TFTA negotiations in trade in services.
5. Drawing from examples from elsewhere including from other RECs, recommend and advise on modalities for value adding processes that benefit member states through TFTA and RECs that may not be provided for under the AfCFTA negotiations
6. Undertake situational analysis of the RECs, Tripartite and AfCFTA Trade in Services negotiations and identify operational modalities to progress with negotiations at all levels and ensure the co-existence of the three in a complementary manner.
7. Analyze the Member /partner states commitments at the REC level and the Trade in Services offers made at the continental level to inform negotiations at the Tripartite level.
8. Identify and analyze the approach and guiding principles to the offers at the RECs, Tripartite and the AfCFTA Level that should promote complementarity and value adding at each level.
9. Recommend the best approach, guiding principles and priority sectors for the Tripartite Trade in Services Negotiations and mechanisms to foster interest in TFTA negotiations among all Member/Partner States.

**4. Tasks and Deliverables**

The consultant is expected to carry out the following activities to deliver the expected results of the assignment:

1. Hold Briefing and Inception meetings with the Tripartite Coordinators and/or Trade Directors to seek their views on the expectation from the assignment;
2. Prepare an Inception Report referencing relevant literature and specifying in detail the conceptual or theoretical framework and empirical methodology (methods of analysis and sources and types of data) that the study will adopt; and the time schedule for performing the assignment.
3. In accordance with the approved Inception Report:

* Undertake desk research and literature review to benchmark successes in Trade in Services with in RECs and continental level that could inform the ongoing negotiations at the TFTA level,
* Review available documents concerning the work on TFTA negotiations in Trade in Services such as TWG reports, TTNF, TCSO, TMSC and TCM,
* Hold on-line discussions with the officials of member/Partner states, RECs and AfCFTA to determine the status and factors underpinning the progress in Trade in Negotiations at RECs, TFTA and AfCFTA,
* Update and verify any missing data and information, by preparing and administering a primary data collection tool (such as a questionnaire or discussion questions),

1. Based on the outcome of the above activities prepare a draft report.
2. Present the report to the virtual validation workshop of Member/partner states and REC representatives and obtain their comments on the report.
3. Refine the draft report based on the comments from the stakeholders and the REC Secretariats.
4. Develop a draft policy brief highlighting the finding and recommendations to TTNF and higher organs of the Tripartite.
5. Submit a final report and policy brief (in soft and hardcopy) after incorporating comments from stakeholders and the REC Secretariats.

The study should be finalized within 3 calendar months with an effort of 40-man days.

**5. Expected output**

A Study Report on Assessment of the Value Addition of the COMESA-EAC-SADC Tripartite FTA Negotiations on Trade in Services and a Policy Brief document

**6. Key experts required**

COMESA as the Secretariat of the Tripartitenow invites eligible and qualified consultants to indicate their interest in providing the services. Interested consultants must provide information indicating that they are qualified to perform the services giving a description of similar assignments undertaken.

The successful Consultant must have the following qualifications and experience:

1. a Master’s degree in economics, international trade law, or equivalent. A PhD in the specified fields will be an added advantage,
2. at least 10 years of professional experience in economic analysis, trade policy and regional economic integration with a specific focus on trade in services negotiations in the COMESA, EAC, SADC or comparable region and research experience on trade in services within the African continent, and
3. be fluent in written and spoken English and be computer literate. Fluency in French and/or Arabic would be an added advantage.

**7. Place of Assignment:**

Homes based, flexible, provided that consultant has reliable access to virtual facilities (skype/teams calls, WhatsApp, Zoom, and video conferences) and reliable internet connection. Where need be, the consultant may be requested to travel to present the report to the meeting of Tripartite Stakeholders in any of the Member/Partner countries

**8. Supervision and Reporting**:

It is expected that the consultant will work under the supervision of the Director of Trade and Customs but with the date to date guidance of nominated Tripartite REC Coordinators. It is expected that the consultant will be available at short notice for this project. All reports shall be in electronic format in MS Word, Excel or PowerPoint as the case may be.

**9. Duration**

The tasks will be carried out over 40 days within a three months period from contract signature.

**10. Funding of the Assignment**

The consultant remuneration will be paid in lump-sum to cover consultancy fees, incidentals and other costs which will be paid out as follows:

1. 30% of the consultancy fee upon submission and approval of an Inception Report.
2. 30% of the consultancy fee upon submission and approval of the Draft Report.
3. 40% upon completing the assignment with the submission and approval of the Final Report.

**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)

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

REFERENCE NUMBER: CS/PROC/EDF/8.3/10/2022/01TPL

REQUEST FOR SERVICES TITLE:**CONTRACT FOR STUDY ON ASSESSMENT OF TRADE IN SERVICES UNDER THE COMESA-EAC-SADC TRIPARTITE FREE TRADE AREA**

[*Location, Date*]

To: COMESA Secretariat

Dear Sirs:

I, the undersigned, offer to provide the consulting services for the ***CONTRACT FOR STUDY ON ASSESSMENT OF TRADE IN SERVICES UNDER THE COMESA-EAC-SADC TRIPARTITE FREE TRADE AREA*** in accordance with your Request for Expression of Interests number *CS/PROC/EDF/8.3/10/2022/01TPL,* 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***

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# C. FINANCIAL PROPOSAL

**REFERENCE NUMBER:** CS/PROC/EDF/8.3/10/2022/01TPL - CONTRACT FOR STUDY ON ASSESSMENT OF TRADE IN SERVICES UNDER THE COMESA-EAC-SADC TRIPARTITE FREE TRADE AREA

Please insert your Total Financial Offer in figures.

|  |  |
| --- | --- |
| **TOTAL FINANCIAL OFFER** | Euro 20,000 |

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)