



REQUEST FOR TECHNICAL AND FINANCIAL PROPOSAL

DEVELOPMENT OF THE STRATEGIC PLAN OF THE COMESA COMPETITION COMMISSION

REF : CCC/RFP/3/2/2020

MARCH 2020

1. INTRODUCTION

The COMESA Competition Commission (the “Commission”) is an international body corporate established under Article 6 of the COMESA Competition Regulations (“the Regulations”). The Regulations are promulgated pursuant to Article 55 of the Treaty establishing the Common Market for Eastern and Southern Africa (“the COMESA Treaty”).

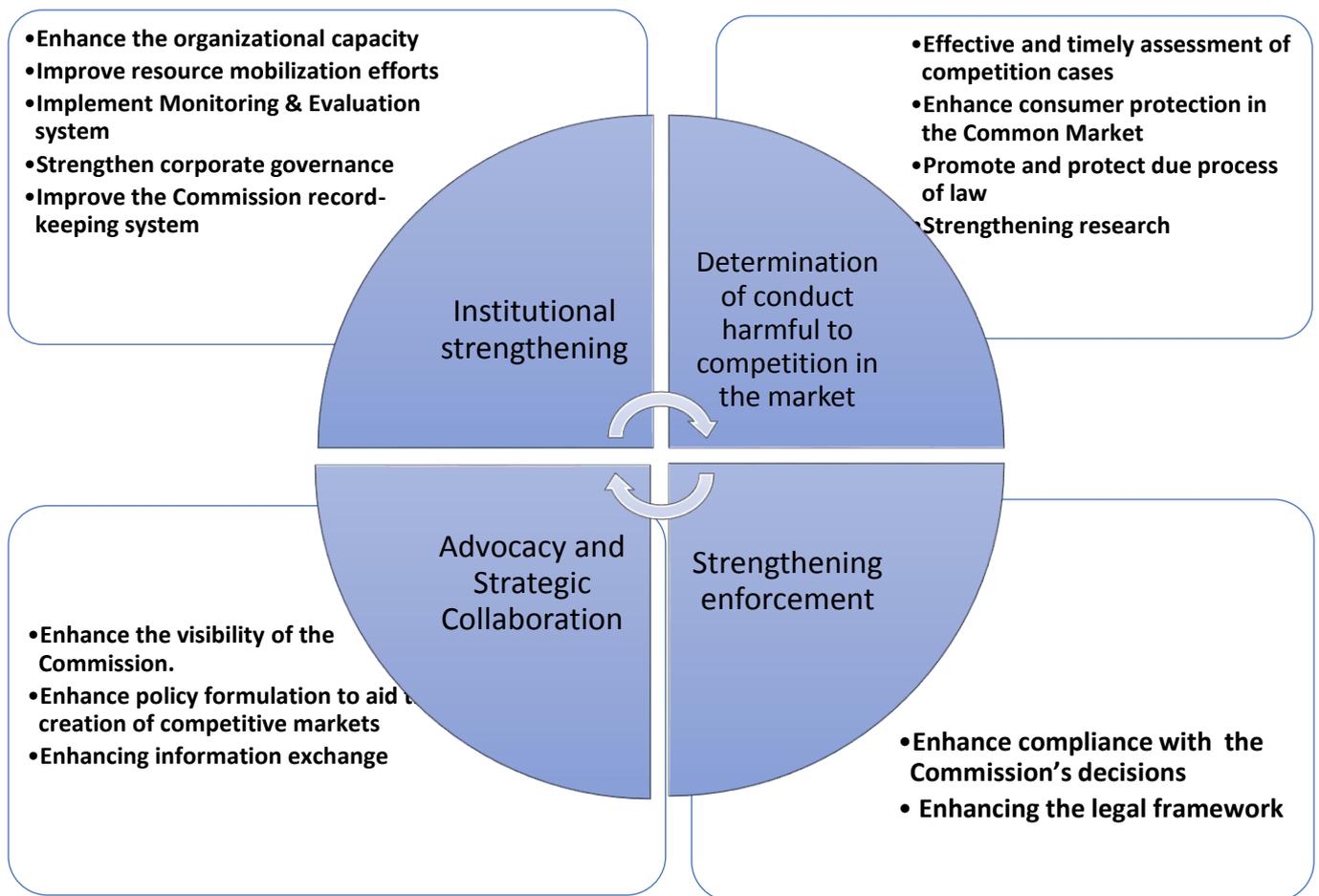
The Commission is responsible for enforcing the Regulations, whose purpose is promoting and encouraging competition by preventing restrictive business practices and other restrictions that deter the efficient operations of markets, thereby enhancing the welfare of consumers in the Common Market. The Commission is composed of two enforcement institutions:

1. The Secretariat which is headed by a Director appointed under Article 9 of the Regulations. The Secretariat is also composed of staff members appointed by the Director with the approval of the Board. The Secretariat is responsible for carrying out investigations and advocacy work of the Commission among other things. The Commission’s Secretariat commenced its operations on the 14th of January 2013 and is located in Lilongwe, Malawi. The Commission’s Secretariat has so far 15 staff members; and
2. The Board of Commissioners which is established and appointed under Articles 12 and 13 of the Regulations respectively, is mandated with issuing determinations, performing adjudicative functions on any matter considered by it, hear appeals and recommending Rules for approval by the COMESA Council of Ministers (the Council) among others. Pursuant to Article 13 (4) of the Regulations, the Chairperson of the Board may assign three of the Commissioners to constitute a Committee responsible for Initial Determinations of matters brought before it.

In its 2020 Work Programme, the Commission has planned to review its current Strategic Plan (2016-2020) and develop the four-year Strategic Plan for the period 2021-2025.

2. BACKGROUND

Since commencement of its operations, the Commission developed its first Strategic Plan in 2015 which was designed for a four year period that is from 2016 to 2020. The Strategic plan (2016-2020) comprises of four (4) strategic issues and 13 objectives which are illustrated below.



Furthermore, a matrix of strategic objectives, initiatives, targets, indicators and source of verification were developed as part of the Strategic Plan of 2016-2020 and the Commission conducted annual performance appraisal of its Division's and/or staff members using this matrix.

As implementation of the Strategic Plan reaches its final year, the Commission found it necessary to undertake assessment of its implementation. The purpose of the assessment is to review the effectiveness of the Strategic plan in terms of its design and implementation. The assessment result will therefore enable the Commission have a baseline to the development of the Strategic Plan for the year 2021-2025.

3. OBJECTIVES

The objective of this consultancy is to assess the current Strategic Plan 2016-2020 to determine:

- how effective the Strategic Plan has been in facilitating the Commission in executing its mandate, vision, mission and values;
- the effectiveness of the Strategic Plan implementation that is its:
 - o Design, Implementation and Outcomes (Impact)
 - o Relevance, efficiency, effectiveness and sustainability. and

Further, the objective of the consultancy is to assist the Commission in the development of the subsequent Strategic Plan (2021-2025).

4. SCOPE OF WORK

In carrying out the Review of the Strategic Plan the Consultant will:

- Review the relevance of the Plan (Objectives and other implementation requirements);
- Assess the delivery of the Strategic Plan outcomes and propose areas for improvement;
- Assess the relevance of the indicators and targets in measuring the outcomes;
- Provide recommendations on how the Strategic Plan could be improved effectively to ensure the Commission execute its mandate and assist the Commission in the development of the Strategic Plan (2021-2025).

5. EXPECTED OUTPUTS

The Consultant will be expected to deliver the following:

- A draft report on the results of the review of the desk study;
- A presentation to the Commission that will outline the main findings of the review of the Strategic Plan;
- Recommendations on the subsequent Strategic Plan of the Commission.
- Assistance of the Commission in the development of the Strategic Plan for 2021-2025.

6. TIMELINE AND DELIVERABLES

The assignment will be expected to be conducted within 60 calendar days (Two months) from the date of signing of contract. The assignment is expected to have the following outputs which shall be delivered in three phases:

No	Phases	Deliverable
1.	Phase 1	A desk review supported by the Logical Framework that will look at the outputs of programmes by specific Divisions.
2.	Phase 2	Interviews with staff of Commission, Heads of national competition, consumer protection authorities, and Ministries responsible for competition law enforcement to be undertaken to ascertain the challenges faced in implementing the Strategic Plan and what actions have been taken to address these challenges.
3.	Phase 3	Provide recommendations for the subsequent Strategic Plan of the Commission.
4.	Phase 4	Assist the Commission in the development of Strategic Plan (2021-2025)

7. QUALIFICATION AND RELEVANT EXPERTISE

In order to be eligible for participation in this tender process, prospective Consultant or Consultancy firm must demonstrate a proven track record of developing work of this nature at national or regional level. Applicants must also demonstrate knowledge on Strategic Planning and its development for competition or consumer authorities. Specifically, Consultant must demonstrate the following:

- a) Hold at least a masters degree in the relevant field from a recognized University;
- b) Have at least ten (10) years' relevant experience;
- c) Clearly demonstrate proof of similar work done at national or regional or international level; and
- d) Clearly demonstrate their capacity to meet the specified deadlines.

8. SELECTION

The service will be awarded to the successful firm based on the *most economically advantageous tender* on factors such as quality of the proposed service and the indicative costs.

9. APPLICATION

Responses to this Request for technical and financial proposal should include the following:

- A proposal for the consultancy service;
- A brief cover letter indicating relevant experience and any information about availability
- Curriculum Vitae or profile of the Consultant(s);
- Financial Proposal: The service providers should identify rates which should be valid for the entire length of the assignment in United States Dollars (USD).
- Vendors should also provide that:
 - They have the legal capacity to enter into the contract;
 - They are not insolvent, in receivership, bankrupt or being wound up, their business activities have not been suspended, and they are not the subject of legal proceedings for any of the foregoing;
 - They have fulfilled their obligations to pay taxes and social security contributions, and for that purpose, documentary evidence to be provided by a foreign candidate to demonstrate that it meets the criterion in this paragraph may consist of a written declaration to that effect by the candidate;
 - That their servants, or agents have not offered any inducement to any employees of the Commission.

Note- The financial proposal to be provided should be exclusive of any form of taxes or charges to be imposed by the Government of Malawi or the local government of the Consultant/Consultancy firm.

10. COORDINATION AND CONSULTATION

The Consultant is expected to perform the assignment in consecutive consultation meeting with management and staff members of the Commission. The Consultant is expected to work closely with the Office of the Director of the Commission.

11. SUBMISSION

Responses to this request for proposal (in PDF formats only) must be submitted to the Commission by 31st March 2020 through the email compcom@comesa.int and/or **posted directly to:**

The Director and Chief Executive Officer,
COMESA Competition Commission,
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