



COMESA COMPETITION COMMISSION

REQUEST FOR TECHNICAL AND FINANCIAL PROPOSALS

CONSULTANCY SERVICES TO FACILITATE RECRUITMENT OF THE POSITION OF DIRECTOR

RFP Ref: CCC/RFP/10/5/2020

OCTOBER 2020

1. BACKGROUND

The COMESA Competition Commission ("the Commission") is a regional body corporate established under Article 6 of the COMESA Competition Regulations ("the Regulations") promulgated under Article 55 of the COMESA Treaty. The Commission has the legal capacity required for the performance of its functions under the Regulations in the territory of each COMESA Member State.

The Commission's core mandate is to promote and encourage competition by preventing restrictive business practices and other restrictions that deter the efficient operation of markets, thereby enhancing the welfare of the consumers in the Common Market, and to protect consumers against offensive conduct by market actors. The main functions of the Commission are to monitor markets and investigate anti-competitive business practices, control mergers and other forms of acquisitions in the Common Market and mediate disputes between the Member States concerning anti-competitive conduct. The Commission commenced its operations on 14th January, 2013 and is located in Lilongwe, Malawi.

Pursuant to Article 9 of the Regulations, the Commission is headed by a Director appointed by the COMESA Council of Ministers. The recruitment process for the Director is provided for under the COMESA Competition Commission Executive Management Staff Rules which, among other things, obligates the Commission to engage an independent international management professional company to do the shortlisting.

The Commission commenced the process of recruiting the Director to head the Commission by sending adverts to all the COMESA Member States inviting applications for the position from suitable candidates. According to the Roadmap for the recruitment process, the Commission is scheduled to receive applications from the Member States on 16 November 2020.

The Commission now wishes to contract a reputable International Management Consulting firm to do the shortlisting for the Director position, based on the terms of reference given in the advert calling for applications.

2. SPECIFIC TERMS OF REFERENCE

The Consulting Firm shall perform as per the following Specific Terms of Reference:

- a. Review all the applications received;
- b. Prepare a Summary of Applications in the format to be provided by the Commission;
- c. Evaluate each candidate's application as per the desired profile in the job advert/call for applications highlighting but not limited to the following:
 - i. Qualifications
 - ii. Relevant experience
 - iii. Stipulated years of experience
 - iv. Understanding of Job description
 - v. Knowledge of any one or more of the COMESA languages
 - vi. Computer literacy
 - vii. Eligibility to apply for the position

- d. Score each candidate and rank all applications as per the Commission's scoresheet to be provided;
- e. Short list a maximum of five (5) candidates for the post;
- f. Ensure that only one (1) candidate from any one (1) country is shortlisted for the post.;
- g. Prepare a short-listing report and make recommendations with comprehensive justifications and rankings for all candidates (shortlisted or not shortlisted);
- h. Submit the final short-listing report within two (2) weeks after signing the contract;
- i. Undertake psychometric tests for all the shortlisted candidates;
- j. Act as Secretary to the interview panel and prepare the interview report; and
- k. Present the interview report and recommendations to the COMESA Council of Ministers.

3. DELIVERABLES

By the end of the assignment, the Consultant Firm is expected to have delivered the following:

- a. A final Shortlisting Report, containing a shortlist of not more than five (5) highly qualified candidates for the post who will be invited for interviews.
- b. A final Interview Report, containing the recommendations of the Interview Panel on suitable candidate/s for the post.

4. ACCOUNTABILITY AND RESPONSIBILITIES

a. COMESA Competition Commission

The Commission Secretariat will provide the following documents to the successful Consultant Firm:

- i. All the applications received from the Member States.
- ii. The COMESA Competition Commission Executive Management Staff Rules.
- iii. The COMESA Competition Commission Staff Rules.
- iv. The COMESA Secretariat Recruitment Procedure Manual.
- v. Call for applications/Adverts for the position.
- vi. Score sheet template

b. The Consultant

The Consulting firm shall first submit a draft Shortlisting Report to the Board through the Chairman within one week of signing the contract. This report shall contain an analysis of the applications and details as stated in Section 2 above, which should also include remarks as to why each applicant is short listed or not short listed for the post. The Board Chairman shall revert to the Consultant with comments within one week of receiving the draft Shortlisting Report.

5. ELIGIBILITY OF CONSULTANTS

This consultancy is open to reputable International Management Consultancy firms which have sufficient experience in recruitment and selection to undertake this assignment. Proof of having undertaken similar assignments is critical.

6. COMMENCEMENT AND COMPLETION OF WORK

The assignment is expected to commence by **30th November 2020**. Details of completion of work and work schedule including reporting will be discussed further and agreed upon after signing of the contract.

7. CRITERIA FOR EVALUATION OF CONSULTANTS

a. Bidders must provide both Technical and Financial proposals. The evaluation shall be based on the following attributes:

- (i) The overall responsiveness and quality of the proposal in clearly stating an understanding of the work to be performed;
- (ii) Technical ability of the proposer to perform the required services;
- (iii) The experience and reputation of the proposer as represented in the response and the quality of the references;
- (iv) Cost of services. Fees and expenses will be a particularly important factor when all other evaluation criteria are relatively equal.

b. The Technical proposal will be assigned a weight of 80% and the financial proposal will be weighted at 20%.

	Evaluation attribute	Percentage Points
1	Firms Understanding of Client's requirements	15
2	Approach and methodology	30
3	Specific Experience of the firm in carrying out similar assignments. Evidence in form of reference letters, offer letters, orders or copies of contracts should be presented	30
4	Qualifications and Experience of proposed team Team Leader 15marks Support Experts (2) 10marks	25
	Total	100

c. The proposed team should consist of minimum three experts, that is: The Team leader, Human Resources Expert and a Support Expert. The Team Leader should be at the level of a partner in the Consulting Firm with a minimum of 10 years' experience. The Human Resources Expert should have at least a Master's degree in Human Resources Management, Organizational Development, Industrial Psychology or a related social science field with a minimum of seven years working experience.

d. The Support Expert should have at least a bachelor's degree in either Human Resources Management, Commerce, Business Administration or a related social

science field. A Master's degree or a relevant professional certification will be an added advantage.

- e. The proposals must be submitted with a cover letter containing a confirmation and a description of how you have understood the Terms of Reference for the assignment.
- f. In the applications, vendors should also provide that:
 - i. They have the legal capacity to enter into the contract;
 - ii. 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;
 - iii. 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;
 - iv. That their servants, or agents have not offered any inducement to any employees of the Commission.

8. SUBMISSION OF APPLICATIONS

a. The bidder shall submit the proposal in **one external envelope containing inside four sealed envelopes** by the closing date set forth in point no. 9 below through courier services or hand delivery to:

**THE BOARD CHAIRMAN
COMESA COMPETITION COMMISSION
KANG'OMBE HOUSE
5TH FLOOR – WEST WING
P.O BOX 30742
LILONGWE, MALAWI
Tel: +265 (0)1 772 466
ATTENTION: MR. PATRICK OKILANGO**

b. The outer envelope should be clearly marked in the top right-hand corner **“CCC/RFP/4/9/2020 - CONSULTANCY SERVICE FOR SHORT LISTING AND INTERVIEWS OF DIRECTOR POSITION” DO NOT OPEN BEFORE 30th October.. 2020 at 15.00 HRS Lilongwe time.**

NOTE: If the envelopes are not sealed and marked as per the instructions in this clause, the Commission will not assume responsibility for the proposal's misplacement or premature opening and may – at its discretion – reject the proposal.

c. This first internal sealed envelope, which will be clearly marked **“TECHNICAL PROPOSAL”** must contain four (4) hard copies of the technical proposal with one marked 'original' and the others marked 'copy'. The second internal envelope, which will be clearly marked **“FINANCIAL PROPOSAL”**, should contain the original and copy of the financial proposal. The envelope containing the financial proposal will **ONLY** be opened if the technical offer attains the pass score of seventy per cent (70%).

d. In the event of any discrepancy between the original and the copy, the original shall govern.

9. CLOSING DATE OF TENDER

Tenders must be submitted to the COMESA Competition Commission on or before **30th October 2020 at 15:00 hours LILONGWE TIME.**

10. AWARD OF CONTRACTS

The Commission 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

11. PRICING

- a. All prices **MUST** be indicated in USD.
- b. There will be no price variation after signing of contract except upon a mutual written agreement between the two parties;
- c. The price quoted shall be considered to be for all the services required by the Commission as contained in this Request for Proposal.
- d. Prices must be exclusive of all taxes within Malawi.
- e. Prices must be valid for 90 days from the date of close of tender.

12. PAYMENT:

Bidders are advised to indicate their payment terms and conditions.

13. TECHNICAL QUERIES

Technical queries related to this tender should be submitted in writing to AMinika@comesa.int with a copy to AGMkandawire@comesa.int

14. FINANCIAL PROPOSAL - STANDARD BIDDING FORM

- a. Bidders are advised to use the standard tender Form below as sample format and modify it to cover all relevant costs or charges.
- b. There will be no price variation tender.
- c. 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: _____

Submitted by:

Name : _____

Signature: _____

Date: _____