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Resilient Nations.

Terms of Reference
Ref: PN/FJI-022-18

Consultancy Title: Metrology Expert

Project Name: Kiribati EIF Trade Project

Duty Station: Tarawa, Kiribati

Duration of the Contract:

- Contract period: 6 months
- Number of working days: 110 days
- Commencement and ends dates of assignment: 01 August to December 2018

Consultancy Proposal should be mailed to C/- UNDP Fiji MCO, Private Mail Bag, Suva, Fiji or sent via email to etenderbox.pacific@undp.org no later than **20th June, 2018 (Fiji Time)** clearly stating the title of consultancy applied for. Any proposals received after this date/time will not be accepted. Any request for clarification must be sent in writing, or by standard electronic communication to procurement.fj@undp.org. UNDP will respond in writing or by standard electronic mail and will send written copies of the response, including an explanation of the query without identifying the source of inquiry, to all consultants. Incomplete, late and joint proposals will not be considered and only offers for which there is further interest will be contacted. **Failure to submit your application as stated as per the application submission guide (Procurement Notice) on the above link will be considered incomplete and therefore application will not be considered.**

Objectives:

- This consultancy comes under the Enhanced Integrated Framework (EIF) Tier 1 Trade Capacity Building and Institutional Strengthening Project in Kiribati. The EIF project commenced in January 2016 with the main objective to strengthen the capacity of institutions and stakeholders in Kiribati to formulate and implement trade policies that support poverty reduction, inclusive economic growth and equitable sustainable development.
- As part of the Tier 1 project, UNDP, as the Main Implementing Entity, is recruiting a suitably qualified expert with a background in metrology and quality infrastructure, to review and identify the institutional, human and regulatory gaps of metrology functions of MCIC. The purpose of the consultancy is to strengthen and update the MCIC Metrology legal framework based on the adoption of international good practices, in order to improve its efficiency and effectiveness for the development of the private sector. This outcome will be achieved by developing a modern, fit for purpose, new Metrology Act, identifying the specific capacity needs, and develop a costed capacity building development Plan for strengthening the Metrology Function in the short to the medium term

Expected Outputs

- Legal Report on Metrology Function of MCIC

- Capacity Needs assessment Report and Costed Capacity Building Plan
- Draft Metrology Bill

Background

- The Republic of Kiribati, with a population of 110,136 (2015 Census), is one of the most isolated countries in the world. Situated on either side of the International Date Line, as well as North and South of the equator, it comprises of 32 coral atolls spread across 3.5 million square kilometers of ocean, an area bigger than the Caribbean Sea, and one raised atoll. More than 90 per cent of the population is concentrated in the Gilbert Islands, with over 50 per cent living in South Tarawa.
- Kiribati's long-term development path is defined by the recently launched 20 Year Vision Development plan (KV20) 2016-2036. The KV20 is motivated by a collective aspiration for a better society by the year 2036. The vision of the KV20 is for Kiribati to become a wealthy, healthy and peaceful nation. It seeks to achieve the development aspiration by maximizing the development benefits from fisheries and tourism as key productive sectors.
- The KV20 recognizes the need develop an inclusive private sector driven by a sound enabling business environment with good policy and regulatory environment that supports the interest of both consumers and producers. Kiribati Development Plan 2016-2019, which is a short term development strategy seeks to review outdated business laws in order to align such laws with the current trade and development regime, with broader objective of ensuring that trade outcomes generates equal benefits for all. Developing an inclusive and equitable private sector, with good trade outcomes, requires a good quality infrastructure with effective and efficient metrology function.
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- Kiribati has experienced growth of trade over the years. Such growth however comes with emerging challenges in the scope of various trade policy circles. To respond to the emerging trade policy challenges, the Government adopted Trade Policy Framework and National Quality Policy in 2017. The vision of the Trade Policy Framework is to have a dynamic and competitive economy for equitable distribution of wealth and prosperity. The vision of the National Quality Policy is for Kiribati's products to comply with relevant standards and technical regulations at national and international markets, thus withstanding comparison to similar products and services from other countries. The National Quality Policy therefore seeks to enhance competitive economy by strengthening the core functions of quality infrastructure, which include Metrology, Standardization, Accreditation body and Conformity assessment.
- The Government of Kiribati through National Quality Policy has recognized that reliable and traceable measurements are required to ensure that exports of industrial and agricultural goods are acceptable on global markets, ensure that domestic and imported goods placed on the market are safe and to prevent fraud in commercial transactions.
- The metrology function of Ministry of Commerce, Industry and Cooperatives (MCIC) under the Consumer Protection Division however, is confronted with key institutional and regulatory challenges. The MCIC operations in the field of metrology is still guided by Weights and Measures Act 1984, which is outdated and does not conform with international standards. MCIC faces lack of basic measurement standards and measurement equipment; limited institutional capacity to effectively conduct weight and measures inspections; weak enforcement of legislative framework; limited capacity and inadequate qualified staffs to support the metrology functions of MCIC. The Government of Kiribati seeks to address this critical situation as a matter of priority, and wishes to strengthen the metrology functions of MCIC.

Scope of work/Expected Output

- The project seeks to hire a legal Metrology expert to strengthen and update the MCIC Metrology legal framework based on the adoption of international good practices. The consultant will undertake the following activities;
- Review the Metrology Functions of MCIC in the context of broader development strategy considering the vision of KV20, Kiribati Development Plan 2016-2019, Trade Policy Framework and National Quality Policy and other relevant regulations;
- Review Weight and Measures Act 1984 in line with international best practices, identify the gaps and make policy recommendations in a Legal Analysis Report;
- Work with OAG in drafting the Metrology Bill in line with the recommendations in the Legal Analysis Report;
- Review the efficiency and effectiveness of the institutional capacity of the Metrology functions of MCIC; identify the capacity needs including any equipment required and make policy recommendations;
- Develop through prioritization, Costed Capacity Building Development Plan for strengthening the Metrology function of MCIC bearing in mind the country context;
- Review and recommend possible options of establishing a metrology center in line with the recommendations of the National Quality Policy; and
- Undertake a Day 2 basic capacity building training on metrology based on the outcome of the capacity needs assessment report targeting the Key relevant staffs of MCIC;

Key Deliverables

- Inception Report
- Legal Report on Metrology Function of MCIC with key policy recommendations
- Capacity Needs assessment Report and Costed Capacity Building Plan
- Draft Metrology Bill
- Training outcome Report

Resources Provided

- IC to provide his/her own laptop.
- Government Based –Ministry of Commerce, Industries and Cooperatives

Supervision/Reporting

- Secretary, Ministry of Commerce, Industries and Cooperatives /IG Project Manager
- EIF Focal Point – Director, Business Promotion Centre & Coordinator, Enhanced Integrated Framework (EIF)

Requirement for Qualifications & Experience**Qualifications**

- A minimum Degree in the area of Legal Metrology ; Weight and Measures ,Physical Science, Engineering or related field

Experience

- At least 10 years of relevant working experience in the field of metrology, weight and measures and quality infrastructure, both in technical capacity and in institutional positions;

- At least one documented assignment in reviewing or developing a metrology framework in Developing economies or Small Islands Developing States;
- Experience in drafting metrology legislation;
- Experience in the Pacific Islands Countries would be advantageous.

Competencies

- Demonstrated experience and understanding of international standards related to Legal Metrology ;
- Demonstrated ability to facilitate consultative meetings and to make presentations of technical findings to a wide audience; and
- Expertise in conducting situation analysis and needs assessments related to metrology and quality infrastructure in developing countries or small Island States;
- Experience in providing legal advice to improve legislative and regulatory frameworks for metrology consistent with international best practices in order to strengthen national quality infrastructure

Language Requirements:

- Fluency in written and spoken English is essential

Evaluation

Cumulative analysis

The proposals will be evaluated using the cumulative analysis method with a split 70% technical and 30% financial scoring. The proposal with the highest cumulative scoring will be awarded the contract. Applications will be evaluated technically and points are attributed based on how well the proposal meets the requirements of the Terms of Reference using the guidelines detailed in the table below:

When using this weighted scoring method, the award of the contract may be made to the individual consultant whose offer has been evaluated and determined as:

- a) responsive/compliant/acceptable, and
- b) having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.

* Technical Criteria weighting; 70%

* Financial Criteria weighting; 30%

Only candidates obtaining a minimum of 49 points in the Technical Evaluation would be considered for the Financial Evaluation. Interviews may be conducted as part of technical assessment for shortlisted proposals.

Selection and evaluation Criteria

Qualifications

- A minimum of a Master's degree in Physical Science, Engineering or related field (10%)

Experience

- At least 10 years of relevant working experience in the field of metrology and quality infrastructure, both in technical capacity and in institutional positions ;(20%)
- At least one documented assignment in reviewing or developing a metrology framework in Developing economies or Small Islands Developing States;(10%)
- Experience in drafting metrology legislation;(10%)
- Experience working in the Pacific Islands Countries(5%)

Competencies

- Demonstrated experience and understanding of international standards related to Legal Metrology; (5%)
- Expertise in conducting situation analysis and needs assessments related to metrology and quality infrastructure in developing countries or small Island States;(5%)
- Experience in providing legal advice to improve legislative and regulatory frameworks for metrology consistent with international best practices in order to strengthen national quality infrastructure.(5%)

Payment Schedule (if required):

Home Based	▪ Inception Report developed based on the review of relevant development strategies, policies, reports and regulations.	10 Working Days after Signing the Contract	20%
1 st In country Mission	▪ Initial in country Consultations with MCIC and relevant stakeholders undertaken	20 Working days after Signing the contract	
Home Based	▪ Submit Draft Legal and Capacity Needs Assessment Report.	20 Working days after the 1 st in country Mission	20% -
2 nd In country Mission	▪ Presentation of a Draft Legal Report, Capacity Needs Assessment Report.	10 Working Days After Submission of the Draft Report	
Home Based	▪ Submit Draft Metrology Bill and Costed Capacity Building Plan.	10 Working Days after the 2 nd Mission.	30% -
Final In country Mission	▪ Presentation of Final Draft Legal Report, Capacity Needs Assessment Report ,Costed Capacity Building plan and Draft Metrology Bill to Key stakeholders and National Trade Advisory Committee (NTAC). ▪ Conduct a 2 Day Training on Basic aspects of Metrology in line with the outcome of the Capacity needs assessment report.	20 Working Days after the 2 nd Mission	
Home Based	▪ Submit Final Legal Analysis Report, Capacity Needs Assessment Report; Costed Capacity Building Plan; Metrology Bill and Training outcome report.	20 Working Days after the Final Mission	30% -
Total	▪		

Proposal Requirements

Proposal Submission

Offerors must send the following documents.

- Signed P11 form including names of at least 3 referees**
- A clear methodology including a proposed work plan and mile stone explaining how you intend to execute the assignment;
- Completed template for confirmation of Interest and Submission of Financial Proposal**
(Financial Proposal which includes breakdown of professional fees. Travel expenses to and from home and duty station (economy class) plus living expenses at the duty station and any other miscellaneous cost that may be incurred during the duration of the consultancy, if applicable.)
- Statement of how applicant meets requirement**

- *The P11 form and Template for confirmation of interest and Submission of Financial Proposal is available under the procurement section of UNDP Fiji website (www.fj.undp.org)*