



## INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: 29 June 2020

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**Country:** Botswana

**Description of the assignment:** Individual Consultant To Simplify the African Growth and Opportunity Act (AGOA), Southern African Customs Union, Mozambique and United Kingdom Economic Partnership Agreement (SACU+M-UK EPA) and African Continental Free Trade Area (AfCFTA).

**Project name:** Economic Diversification and Inclusive Growth

**Period of assignment/services:** 2 months

**Submission Requirements:** Proposals should be submitted clearly labelled, “**Individual Consultant To Simplify the African Growth and Opportunity Act (AGOA).**”

Not later than **10<sup>th</sup> July 2020 at 12:00Noon (Botswana Time)**,

by email to: [procurement.bw@undp.org](mailto:procurement.bw@undp.org)

Any request for clarification must be sent in writing, or by standard electronic communication to the address indicated above OR by email to [enquiries.bw@undp.org](mailto:enquiries.bw@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.

**NOTE:** Consultancy firms/companies interested in applying for this assignment are free to do so provided they submit a CV of only one qualified consultant and present its bid in a manner that would allow for evaluation of the bid in accordance with the evaluation criteria specified in these solicitation documents. That is, the experience required is that of the individual whose CV would have been submitted by the company rather than that of the company. Further, if the submitted bid wins, the ensuing contract will be between the UNDP and the company/firm, not the individual

## **1. BACKGROUND**

Botswana is the world's largest rough diamond producer. Total exports for February 2019, were valued at P3,178.7 million, with 88.9% (P2,826.1 million) attributed to exports of Diamonds, followed by Machinery & Electrical Equipment and Salt & Soda Ash with 3.4 % (P108. 6 million) and 1.4% (P44.3 million) respectively. Meat and Meat Products and Gold contributed 1.2% (P39.3 million) and 1% (P32.2 million) respectively.

Botswana's GDP per capita was about USD8,000 in 2018 according to World Bank, which has guaranteed its middle-income status. Despite Botswana's upper middle-income status, it suffers high rates of unemployment and a small manufacturing sector.

Over the years, Botswana has leveraged on creating avenues/strategic partnerships with a view to expand the economic base. These efforts include being party to trade and investment agreements, among others, which have over the years, cultivated the significance of non-traditional commodities in economic transformation.

The African Growth and Opportunity Act (AGOA) is one of the trade agreements. It was enacted in May 2000 and in 2015 was extended by ten (10) years, that is 2015-2025, to allow eligible AGOA beneficiaries to maximise and come up with sustainable and effective initiatives for utilising the existing provisions offered by the U.S. In 2017, Botswana developed a response strategy to capitalise on the duty free market access and private sector development provisions under AGOA.

Botswana also signed the African Continental Free Trade Agreement (AfCFTA) in February 2019. With a population of nearly 1.6 billion people in 55 countries and a combined Gross Domestic Product of more than US \$3.4 trillion, the AfCFTA aims to create a single market for goods and services, with free movement of business persons and investments as well as supporting infrastructure development. It is an important initiative in accelerating regional integration efforts aimed at ensuring that African countries trade with each other. Through the reduction of tariffs on goods traded, the AfCFTA seeks to create new export products and expand value chain opportunities across the continent.

Further, Botswana, as part of the SACU trading block, entered into an Economic Partnership Agreement (EPA) with the United Kingdom to ensure continuity in the trade relationship once the EU-SADC EPA no longer applies to the UK. Joining SACU is Mozambique in this Agreement, which provides access to SACU and Mozambique products into the UK market duty free and quota free.

The Department of International Trade (DIT) in the Ministry of Investment, Trade and Industry (MITI) is tasked to ensure effective implementation of existing trade agreements. The trade agreements as written, are technically complex and are not easy to understand by the general public and the business community who are their key target users. It should ordinarily follow that if the trade agreements are easily understood by the business community, their level of use will increase and the benefits thereof will be realized, especially in relation to the following areas:

- Increase in trade; exports and imports;
- Increase in foreign direct investment;
- Creation of wealth;
- Creation of sustainable jobs/employment; and
- Acquisition and nurturing of applicable and sustainable skills and expertise.

Engagements between the public and the private sector have been undertaken regarding collaborative efforts on enhancing the implementation challenges for Trade Agreements. One major challenge is the lack of uptake by the private sector and the business community, which is attributed to the complexity of the technical language of the trade agreements and lack of understanding of the market access requirements for the products, among other factors.

Further, it is expected that the Trade Agreements should be aligned to the objectives and anticipated output of the National Export Strategy, Economic Diversification Drive Strategy and other key national economic development strategies that will be used to achieve the aspirations of Vision 2036.

Therefore, the simplified texts of the above listed trade agreements are intended to assist Small and Medium Enterprises (SMEs), the business community through the private sector as well as civil society in both rural and urban areas to understand the markets of interest, assess the benefits thereof and have an appreciation of the detailed processes needed to utilise these Trade Agreements.

In view of the above context, the Government of Botswana through the Ministry of Investment, Trade and Industry with the support of the United Nations Development Programme requires the services of an expert individual consultant with adequate experience in international trade to simplify the African Growth and Opportunity Act (AGOA), Southern African Customs Union, Mozambique and United Kingdom Economic Partnership Agreement (SACU+M-UK EPA) and African Continental Free Trade Area (AfCFTA) Agreement into plain and less technical English language to facilitate their effective utilisation by the SMEs and the business community through the private sector, civil society and other target groups.

## **2. PURPOSE AND SCOPE OF THE ASSIGNMENT**

### **2.1 Purpose**

The overall purpose of the assignment is to support the Government of Botswana through the Ministry of Investment, Trade and Industry to simplify into plain English language, selected trade agreements which Botswana is party to or is eligible to benefit from. The trade agreements include the following:

- African Growth and Opportunity Act (AGOA);
- Southern African Customs Union, Mozambique and United Kingdom Economic Partnership Agreement (SACU+M+UK EPA); and
- African Continental Free Trade Area (AfCFTA).

## 2.2 Scope Of Work

While there are many trade agreements that Botswana is party to, for this assignment three (3) have been prioritized for their texts and technical language to be simplified; AGOA, SACU+M+UK EPA and the AfCFTA. This assignment includes the simplification of technical language to a plain language that will easily be understood by the business community. In this regard, the Individual Consultant will undertake the following;

- Read and become familiar with the AGOA, SACU+M+UK EPA & AfCFTA Trade Agreements and other existing official documents relevant to the assignment.
- Simplify the AGOA, SACU+M-UK EPA & AfCFTA trade agreements into plain and less technical English language so as to be easily understood by the general public and the business community.
- Submit the simplified trade agreements in word processed documents. The trade agreements should be presented in separate word documents.
- For each trade agreement;
  - Identify the benefits
  - Determine the scope of the agreement
  - Indicate who it is relevant for
- Develop an end to end exporting process that highlights key steps and sub components involved in exporting. The process should include but not limited to;
  - Stage(s) for understanding and preparing for exports. Identify factors and institutions that contribute to readiness to export.
  - Export registration process(es)
  - Export logistics
  - Export customs procedures
  - Documents required for exporting

## 3. METHODOLOGY

The Consultant shall collect and make use of all available information and apply sound technical practices and methods in carrying out the assignment. The methodology selected and approved by the Quality Assurance Team, the Technical Reference Group, must appropriately respond to the scope of work to produce the intended deliverables. It is recommended that these methods comprise both quantitative and qualitative approaches as appropriate.

The Consultant is expected to carry out extensive desk top review of the Trade Agreements and any other relevant documents that will support the assignment. The Consultant is also

expected to engage relevant stakeholders and entities comprised of both state and non-state actors.

Guidance and quality assurance will be provided to the Consultant throughout the process by MITI through the Department of International Trade (DIT) with technical support from a Technical Reference Group that will be set up to ensure that key stakeholders are consulted and the deliverables are produced.

#### **4. KEY DELIVERABLES**

- Inception Report
- Draft Documents - simplified reports of the AGOA, SACU+M-UK EPA & AfCFTA trade agreements and the end to end exporting process
- Final Documents - of simplified reports of the AGOA, SACU+M-UK EPA & AfCFTA trade agreements and the end to end exporting process

#### **5. REQUIRED QUALIFICATION AND EXPERIENCE**

The Consultant is expected to provide all the necessary expertise to complete the assignment. On this basis, he/she must possess the following Academic Qualifications, Knowledge, Expertise and Competencies:

##### I. Academic Qualifications:

The Consultant must hold a minimum Master's degree in Economics, Public Policy, International Business, International Economics, International Trade Law, and/or International Development Studies or related disciplines.

##### II. Years of experience:

The Consultant must have at least 10 years of professional experience in international economics/trade/business issues. She/he needs to demonstrate good understanding of technical terms used in regional, continental and international trade agreements. Additional knowledge and experience in public policy and project management would be an additional advantage.

##### III. Competencies

- Good understanding and demonstrated optimism of the assignment;
- Good technical and report writing skills;
- Excellent interpersonal skills;

- Excellent communication and presentation skills including the ability to generate consensus;
- Excellent command of English, both spoken and written

## **6. IMPLEMENTATION ARRANGEMENTS**

Ministry of Investment, Trade and Industry through the Department of International Trade is the lead of all processes. The Consultant will report directly to the Director of International Trade with a matrix reporting line to the Deputy Permanent Secretary who will preside over all Technical Reference Group meetings or delegate same to the Director. Daily, until the end of the consultancy, the Consultant will work closely with the staff of the Department of International Trade with support from the UNDP Team. A Technical Reference Group will be established and tasked with the responsibility of providing quality assurance and technical support to the entire consultancy. The Group will be made up of DIT Technical staff, UNDP, relevant stakeholders from Government institutions and the private sector. In addition, the Consultant will be required to make presentations at Technical Reference Group meetings.

## **7. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS**

The consultant must submit the following documents/information to demonstrate his/her qualifications:

### **1. Technical Proposal:**

- Demonstration of understanding of the assignment.
- A clear narration of the methods and/or approaches that would be employed to fulfil the objectives of the assignment.
- An implementation matrix/work plan with timelines for carrying out the assignment.
- CV of the consultant which must include past experiences undertaking similar assignments and at least three (3) references for ease of background checks.
- Demonstration of past performance in providing similar services, indicating client name, nature and scope of work.

### **2. Financial proposal:**

- Indicate the Lump-sum consultancy fee.
- The lump sum should be broken down to clearly indicate: travel, per diems, and actual consultancy fees (daily fee).
- An indication of whether this rate is flexible or not.

## **8. TRAVEL**

No travel is envisaged under this contract.

## 9. EVALUATION PROCESS

The procedure for evaluation of the bids shall consist of three stages.

### STAGE -1 – Preliminary Evaluation

Preliminary evaluation of the proposals will be a compliance check based on the aspects below;

1. Qualifications
3. Completeness of Bid

Stage 1 of the evaluation is based on a yes/no response. If the response is “no” for any two (2) of the criteria, the bidder will be disqualified from further evaluation.

### STAGE-2 -Technical Evaluation

Technical evaluation shall be made to determine capability to deliver the required deliverables of the consultancy. It will be based on a scale of 0-100 points wherein the qualifying mark is 70%. Therefore, if a bidder fails to score 70% and above under Stage 2, he/she shall be disqualified from further evaluation. The quality criteria and maximum score in respect of each of the criteria are as follows:

<b>Criteria</b>	<b>Max Points</b>
1. Context <ul style="list-style-type: none"><li>Adequate knowledge of Botswana’s development context particularly with regards to International Trade. Knowledge of Trade Agreements, mandate of MITI and relevant state and non-state actors involved in international trade issues and SMME development.</li></ul>	10
2. Technical Competence <ul style="list-style-type: none"><li>Demonstration of technical ability to undertake the assignment.</li><li>Demonstration of indepth understanding of AGOA, SACU+M-UK EPA &amp; AfCFTA trade agreements.</li></ul>	20
3. Relevant Professional /Work Experience <ul style="list-style-type: none"><li>Demonstrable past performance in providing similar services, that is drafting technical reports to simplify trade agreements and related technical documents.</li></ul>	30
4. Methodology/Approach <ul style="list-style-type: none"><li>Adequate demonstration of understanding of the assignment.</li><li>Clear narration of methods and/or approaches for fulfilling the objectives of the assignment.</li><li>A workplan demonstrating steps that would be taken to fulfil the assignment.</li></ul>	30
5. Presentation and Packaging <ul style="list-style-type: none"><li>Good writing, communication and presentation skills</li></ul>	10

### STAGE 3 – Financial / Cost evaluation

Consultant must obtain a minimum of 70% of the obtainable points of 100 points in the technical evaluation to be considered for the financial evaluation. Cost Evaluation shall be conducted by reviewing financial proposal to correct any arithmetic errors and assessing reasonability of the cost.

## 10.AWARD

The award of the contract will be made to the Consultant after the offer has been evaluated and determined as:

- a) Responsive/compliant and/or acceptable for the assignment and;
- b) Having scored 70% and above on technical evaluation
- c) Reasonable cost

Lastly, UNDP retains the right to contact references directly.

## 11.PAYMENT SCHEDULE

Payment shall be made against deliverables in three instalments following the suggested schedule defined below:

- **First milestone -Substantive inception report:** The inception report should contain clearly define structure, the nature and scope of work to be done, methodology and approach to be used to fulfill the requirements of the assignment. This milestone will attract 20% payment after the inception report has been presented to the Technical Reference Group (TRG) and approved after incorporating consolidated comments from the group.
- **Second milestone:** This milestone attracts 30% payment of the total amount for the assignment after the draft document has been submitted and presented to the TRG, validated at a wider stakeholder workshop and approved after incorporating consolidated comments from the group.
- **Third milestone:** After approval of a Final document. At this stage it is expected that all requirements of the assignment are completed and the final reports approved. This milestone attracts 50% payment of the total amount for the assignment.