



CONSULTANCY FOR REVIEW AND DEVELOPMENT OF THE LESOTHO ICT POLICY (2005)

SUSTAINABLE AND INCLUSIVE ECONOMIC GROWTH PROJECT

Terms of Reference

Duration and location assignment:	80 days, home based
Responsible Unit:	Strategy and Policy Unit
Time of assignment:	July 2020 to October 2020
Type of service:	Professional services

1. BACKGROUND INFORMATION

UNDP is the UN global development network, advocating for change and connecting countries to knowledge, experience and resources to help people build a better life. It works with individual countries on their own solutions to global and national development challenges. The UNDP Lesotho Country Programme (2019-2023) is anchored on the NSDP II, the UNDAF (2019–2023) and guided by the UNDP Strategic Plan (2018–2021), and SDGs. It is implemented through 3-programme pillars: (i) Governance, Accountability, Social Cohesion and Stability; (ii) Sustainable and Inclusive Economic Growth and (iii) Environmental Sustainability, Climate Change and Resilience.

Through the Sustainable and Inclusive Economic Growth (SIEG) Programme, UNDP is contributing to achieving the objectives of the NSDP II by strengthening capacities of private and public sector stakeholders to create decent and sustainable jobs, promoting economic diversity, and facilitating increased economic participation. This is achieved by collaborating with government ministries, private sector, civil society and academia to promote innovative and technological interventions, collaborative and informative stakeholder engagement, policy advocacy and ensuring accountability for results.

The NSDP II identifies technology and innovation as one of the key drivers and enabler of economic growth and employment creation in Lesotho. The Ministry of Communications, Science & Technology of the Government of Lesotho assumes the responsibility of providing general policy for the Information and Communications Technology (ICT) sector. The ICT Policy was developed in 2005, and is aimed at strengthening coordination, capacity development and guiding decision for technology adoption in the country. Under the ICT Policy 2005, the Ministry of Communications (Department of ICT) is charged with the responsibility for ICT promotion and

coordination, strategic planning & resource mobilisation, monitoring & evaluation of the ICT sector and establishment of an ICT Cadre. However, there has been implementation challenges which resulted in weak coordination mechanisms and adoption of various strategies for ICT management and infrastructure development within the government ministries. This has complicated the monitoring and evaluation function of the ICT Policy.

In this context, the MCST seeks to create a clear and stable policy environment to strengthen governance and regulation of ICT sector and identify and define the roles and responsibilities of the various players and stakeholders in the sector. This will create confidence in the sector and guide resources mobilisation, investment and management of the sector to ensure development of human assets through ICT. It is therefore crucial to understand whether recent ICT developments have exposed anomalies in the ICT Policy, legal and regulatory environment; to identify extent to which the current policy objectives were achieved and identify gaps in the policy goals in context of the changing local and global landscape for ICT.

On behalf of the Ministry of Communications, Science and Technology, UNDP is looking for a firm with expertise in telecommunications and ICT, and the related policy and legal frameworks to support the Ministry to review the current policy, identify existing gaps and develop a new policy statement to establish procedures and process for development and investments in the sector.

2. OBJECTIVES

The objective of this assignments is to assist the Ministry of Communications, Science & Technology in developing a new Statement of Government Policy on the Information and Communications Technology Sector to respond to the emerging developments in the sector and facilitate attainment of the NSDP II objectives for jobs creation and economic growth.

The consultancy is expected to achieve the following:

- Review the current ICT Policy, identifying gaps and opportunities for an effective contribution in the national development agenda
- Assess the policy, legal and regulatory environment for ICT in Lesotho, identifying any structural anomalies in the governance model, policy framework and gaps that inhibit the normal development of the ICT sector.
- Develop an ICT Policy for the year's 2021- 2025 that will seek to ensure the efficient operation and development of ICT and related areas of activity; such that the sector is a source of economic growth and prosperity to the benefit of all stakeholders.

3. SCOPE OF WORK

The activities that will be carried out should encompass the following:

- (i) Review of the existing ICT Policy (2005) with focus on:
 - ICT Environment (Uptake & Use indicators, Access to, use of ICT in Households & any other indicators)
 - The ICT Policy Framework (ICT Priority Areas, ICT infrastructure, Legal & Regulatory Framework, Development of ICT Human Skills, Business Development alias e-Commerce, e-governance & Digitalization, Technological Innovations (R&D))

- Implementation & Institutional Framework (Integration of ICT Policy with other Development Plans in our case the NSDP II, Institutional Setup for implementation of the ICT Policy (governance & other structures), M& E for Implementation of ICT Policy)
- (ii) Review and assess the policy, legal and regulatory environment in Lesotho relative to ICT, and their sustainability to govern technologies running ICT services in the future.
- Compile and review of different policy, regulatory and legal frameworks governing ICT in the country for synergies, differences and gaps.
 - Undertake a comprehensive political, environmental, social, technological, economic and legal analysis of the ICT sector in Lesotho in context of the national development objectives
 - Propose a working definition of the emerging digital environment relevant for the country and its economic implications in context of the NSDP.
 - Define a governance and coordination framework for ICT to ensure harmonisation of policies, regulatory and legal frameworks in Lesotho and complementarity between ministries
- (iii) Develop a new Statement of Government Policy on the Information and Communications Technology Sector
- Development of ICT policy framework recommendation for Lesotho given the results of the assessment, current international trends, opportunities, and best practices.
 - Propose governance model for ICT

4. Expected Outputs and Deliverables

In this assignment, the consultancy firm will be expected to deliver the following outputs

Deliverable	Estimated Duration to complete	Target Dates	Review and Approval requirements
1. Inception Report	10 days	1 st August 2020	MCT UNDP
2. Draft Report: Lesotho ICT Policy Review	30 days	14 th September 2020	MCT UNDP
3. Final Report: Lesotho ICT Policy Review	10 days	3 rd October 2020	MCT UNDP
4. Recommendations and Outline for new Policy Statement			
5. Draft Policy Statement for ICT	20 days	31 st October 2020	MCT UNDP
6. Final ICT Policy Report	10 days	28 th November 2020	MCT UNDP
7. Brief on the Lesotho ICT Policy			

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5. Institutional Arrangement

- a) The Consultancy Firm will be engaged by the UNDP and becomes directly responsible to the UNDP – Deputy Resident Representative. However, s/he will liaise with the relevant Programme Officer and the designated officer in the Ministry of Communications, Science and Technology for implementation of this assignment
- b) The Director of the Dept of ICT in the Ministry of Communications, Science and Technology, working in collaboration with the UNDP Programme Officer will provide day-to-day supervision on the assignment, to ensure delivery of quality results and objectives as set out in these terms of reference.
- c) The Consultancy Firm is expected to make in person consultations with the relevant government ministries, and any relevant stakeholders. The Ministry of Communications, Science and Technology will provide a stakeholder list, including government ministries, institutions and agencies, academia and private sector that should be engaged in this assignment.
- d) The Consultancy Firm will prepare reports and facilitate stakeholder sessions for validation at each stage of the assignment. All reports will be validated through an open multi-stakeholder validation process, comprising different ministries and partners.
- e) The Ministry of Communications, Science and Technology and UNDP will establish an internal stakeholder technical team of relevant departments on this assignment to inform the programme strategy and feedback mechanisms.
- f) It is expected that the process for review of completed milestones shall not exceed seven days from the notification of submission. The Ministry of Communications, Science and Technology shall certify completion and approval of all completed milestones prior to payment.
- g) The Consultancy Firm should have own computer and facilitate own access to internet, transport and organize own logistical arrangements as necessary.

6. Duration of the Work and Duty station

- The assignment is expected to be carried out in 80 days, beginning July 2020
- The assignment will be carried both at home and in location. The Consultancy Firm will be expected to make in person consultations and validation sessions.
- Days for office and home delivery will be determined in agreement with the UNDP and Ministry of Communications, Science and Technology and based on the submitted workplan.

7. Qualifications of the Successful Individual Contractor

The assignment requires a firm, with a team comprising at least 2 members, including the Team Leader and ICT/Telecommunication Expert, Policy Expert and a legal expert. Requirements for each team member will be as follows:

1) Team Leader – Telecommunications Expert

Education: An advanced degree, preferably a PhD in ICT/Telecommunication.

Skills and Experience

- At least 10 years' experience in ICT and/or Telecommunications, including the technologies used to provide converged services.
- Proven experience in undertaking research and providing advisory on policy, regulatory, and legal in ICT and related issues

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- Experience in drafting policy statements consisting of specific, actionable requirements.
- Perspective experience and cross-cultural skills that will allow him/her to respond to Lesotho's needs as expressed in this TOR.
- Experience of leading other projects of a similar nature Experience in SADC countries.
- Experience with in working on similar assignment, and Telecommunications, Information & Communications Technology and Convergent industries, institutional issues and within the past 3 years
- Knowledge of the Lesotho development landscape and the NSDP II will be an added advantage. Africa and SADC regional experience is desirable.
- Experience working with government and international organisations in related issues will be an added advantage

2) Team Member 1. Policy and legal expert

Qualification. A Postgraduate degree in Economics, Law,

Skills and experience

- At least 5 years' experience with exposure to relevant Telecommunications environment, including the delivery of converged services.
- Proven experience in undertaking research and providing advisory on policy, regulatory, and legal in ICT and related issues
- Sound knowledge of the Lesotho development landscape and the NSDP II will be an added advantage. Africa and SADC regional experience is desirable.

General attributes for the team

- Fluency in English
- Excellent communication, reporting, and presentation skills
- Demonstrate a high competency for integration of gender attributes into the assignment
- Sound knowledge of the Sustainable Development Goals, Agenda 2063 and related principles for socio-economic inclusion and poverty eradication, livelihood development is an added advantage
- Good analytical skills, with ability to come up with solutions to complex and interconnected development challenges

8. Scope of Price Proposal and Schedule of Payments

- The financial proposal should be presented as a **Lump Sum Amount** –representative of payments closely linked to deliverables.
 - The lump sum amount must be “all-inclusive¹”; and provide a breakdown consistent to the project deliverables
 - The contract price is fixed regardless of changes in the cost components;
 - UN's Daily Subsistence Allowance (DSA) rates prevailing at the time of sourcing, will be used for all travel related components.
- Payments will be scheduled as:

¹ Same as above

Deliverables/ Outputs	% of payment	Dates of Payment	Review and Approvals Required (
1. Inception report	10%	July 2020	Ministry of Communications, Science and Technology UNDP
2. An outline of Lesotho's socio-economic policy framework based on the NSDP and gap analysis	30%	July 2020	Ministry of Communications, Science and Technology UNDP
3. Report on level of NSDP integration to SDGs and gap analysis	40%	July 2020	Ministry of Communications, Science and Technology UNDP
4. Policy brief on the SDGs integration on the NSDP, and extent of implementation	20%	August 2020	Ministry of Communications, Science and Technology UNDP
5. compendium of Lesotho development policies			

9. Recommended Presentation of Offer

Interested firms should submit their application using the specified template and include the following:

- Brief description** of why the firm is the most suitable for the assignment, and a methodology, on how they will approach and complete the assignment.
- Personal CV** of proposed personnel indicating all past experience from similar projects, as well as the contact details (email and telephone number) of the Candidate and at least three (3) professional references.
- Financial Proposal** that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided.

10. Criteria for Selection of the Best Offer

A successful firms/teams will be selected based on the Combined Scoring method – where the qualifications and methodology will be weighted a max. of 70% and combined with the price offer which will be weighted a max of 30%. The criteria for scoring will be guided by the following:

Criteria for technical evaluation	Ranking
1) Expertise of Firm	30%
2) Proposed Methodology	40%
3) Personnel	30%

11. Annexes to the TORs

1. Request for Proposal
2. Template for Technical Proposal
3. Template for Financial Proposal

12. Submissions

Interested offerors may submit their applications to:

RFP: Policy Review for Lesotho ICT Policy 2005

Resident Representative
United Nations Development Program
United Nations Road
3rd Floor, United natis House
Maseru 100
e-mail: ls.procurement@undp.org

Communication and further information on the call may be sent to ls.procurement@undp.org.

13. Approval

This TOR is approved by :

Ms Christy Ahenkora
Deputy Resident Representative

Signature



Date of Signing: 17 June 2020

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