

Terms of Reference

Office of the Central Tenders Board TA Support Services
Ministry of Finance and Economic Management (MFEM)
Vanuatu

1. Background

- 1.1 The Governance for Growth Program, financed by the Australian Department of Foreign Affairs and Trade (DFAT), provides PFM support to the Government of Vanuatu, (GOV), through the Ministry of Finance and Economic Management, (MFEM), under a grant agreement which provides funds for a program of technical assistance (TA).
- 1.2 Over the past few years, this support has been used to develop and enhance the GoV's procurement processes, including legislative and procedural reviews.
- 1.3 As a next step, MFEM is seeking further TA to support improving business processes, guidance materials, and training, together with advice on whole-of-government procurement methods. The aim is for the TA to completed by mid- 2021.

2. Services

- 2.1 The contractor shall perform the services commencing on or about 1 July 2020 for a period of 12 months.
- 2.2 At least 90% of the billable time shall be related to work performed in Vanuatu.

3. Objective

The first objective of these services is to assist the GoV improve the quality of procurement processes and documentation (such as guidelines, flowcharts, manuals, templates, training materials etc.) and to provide training and outreach to line agencies and suppliers. In particular, it is important to ensure the procurement processes and documentation align with the latest legislation and regulations.

The second objective is to support the GoV prepare a whole-of-government tender to establish a panel arrangement for suppliers of routine government supplies.

4. Counterparts

- 4.1 The immediate counterpart for this work will be the Secretary of the Central Tender Board Secretariat. The contractor will also consult with other stakeholders such as the Director-General of the MFEM, the Director of Finance and Treasury, the State Law Office, line ministries, donors and their advisers, and private sector stakeholders.

5. Terms of Reference

The Contractor will be required to produce the following key deliverables:

- 5.1 Business process review report: Review procurement procedures (including electronic procurement) and provide recommendations as to how they can be improved in order to expedite procurements, reduce administrative burdens and compliance costs, and encourage participation and competition. This should also consider the link to the MFEM financial management system and GoV budget process;
- 5.2 Standard Tender documents: Prepare easy to use and understand National Standard Tender and Contract Documents, forms and templates, including tender evaluation and conflict of interest declaration forms;
- 5.3 Guidance material: Prepare user-friendly, step-by-step: guidelines; business process maps; flowcharts; presentations; and other materials designed to assist procurement officials and private sector suppliers understand procurement requirements and procedures;
- 5.4 Training material: Prepare outreach and training material to educate government agencies and the private sector on procurement procedures. The materials should include interactive exercises and case studies;
- 5.5 Procurement planning documents: Prepare annual procurement planning guidelines, formats, and templates;
- 5.6 Capacity building: Conduct interactive training for government agencies and the private sector;
- 5.7 Provide advice on and assist with updating procurement policies, including e-procurement policies and advice on e-procurement software;
- 5.8 Whole-of-Government tender advice report: Conduct analysis and prepare advice as to how the GoV could conduct a whole-of-government tender to establish a panel arrangement of suppliers for routine government purchases, such as stationary, computers, and other office supplies. The tender would establish a pre-approved panel of suppliers which all GoV agencies could access. The advice should cover, inter alia: which supplies should be included in the tender; how the panel arrangement should function; the type of tender arrangement and evaluation criteria; risks to the government and the private sector, and how these should be managed; how to balance the value for money with the need to ensure private sector development;
- 5.9 Draft Whole-of-Government Tender documents: related to 5.8 above, prepare draft tender documents for the Whole-of-Government tender;
- 5.10 Government Business Enterprise procurement report: Review the Government's exposure to risk arising out of GBE/statutory authority procurement operations and recommend options for managing this risk;
- 5.11 Undertake other assignments as requested by the Secretary of the Central Tenders Board.

6 Reporting

- 6.1 The contractor or their hired consultants will be required to develop a work plan within the first week of the engagement which clearly states interim and final deadlines for key deliverables outlined above, to be agreed with

the Secretary of the Central Tender Board Secretariat. Furthermore, the contractor will be required to regularly present to and consult with MFEM staff and other stakeholders.

- 6.2 It is also a requirement of the donor for the consultant to provide a 6 monthly progress report through the MFEM Grant Coordinator's office. The reporting outline/guideline can be obtained from the MFEM Grant Coordinator.

7 Commencement and Completion of Services

- 7.1 The contractor will commence on or about 1 July 2020 and must complete the services not later than 30 June 2021.

8 Qualification, Skills and Experience

- 8.1 The contractor must have substantial, demonstrated expertise in supporting government procurement reform initiatives. A strong background in establishing panel arrangements and/or shared services will be an advantage;
- 8.2 Relevant formal qualifications, such as law, commerce or business;
- 8.3 Demonstrated understanding of and practical experience with government procurement best practices;
- 8.4 Experience in improving government procurement business processes and preparing supporting guidelines and materials;
- 8.5 Experience in delivering procurement trainings and providing mentoring to government counterparts;
- 8.6 Experience in small Pacific states and/or Vanuatu will be an advantage.