**ECOWAS REGIONAL ELECTRICITY REGULATORY AUTHORITY**

**AUTORITÉ DE REGULATION RÉGIONALE DE L'ÉLECTRICITÉ DE LA CEDEAO AUTORIDADE REGULADORA DE ELETRICIDADE REGIONAL DA CEDEAO**

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**TERMS OF REFERENCE (TOR)**

**Procurement Specialist – Project Implementation Unit (PIU)**

**PROJECT ON THE “REGIONAL HARMONIZATION OF REGULATORY FRAMEWORKS AND TOOLS FOR IMPROVED ELECTRICITY REGULATION IN ECOWAS”**

## **1. Introduction**

1.1. The ECOWAS Regional Electricity Regulatory Authority (ERERA) has received financing from the African Development Bank toward the cost of the "**Regional Harmonization of Regulatory Frameworks and Tools for improved Electricity Regulation in ECOWAS**" (“The project”) and intends to apply part of the proceeds for consulting services.

1.2. This TOR is prepared to engage an Individual Consultant for a consultancy Service as a **Procurement Specialist** under the auspices of the African Development Fund (ADF) technical assistance Grant for the Project implementation unit (PIU) to support the effective implementation of the project.

## **2. Background**

2.1. Reference is made to the General Procurement Notice published by both the AfDB and ERERA. ERERA has received a grant from the African Development Fund (ADF) to fund the harmonisation of electricity regulatory frameworks in the ECOWAS region.

2.2. ERERA intends to undertake studies and develop appropriate tools and instruments to facilitate the harmonization of regional regulatory frameworks. The Regional Harmonization of Regulatory Frameworks and Tools for Improved Electricity Regulation in ECOWAS (the “Project”) is a regional initiative designed to enhance the sustainability of the electricity sector of the region through effective, uniform, transparent and enforceable regulatory frameworks that set out clear principles, rules, processes and standards for the ECOWAS region.

## **3. Context**

3.1. ERERA was created in January 2008 by the Conference of Heads of States and Governments to ensure the regulation of cross-border electricity exchanges and therefore to provide support to national regulators of the electricity sector of ECOWAS Member States. The main mission assigned to ERERA is to establish a transparent, predictable, and harmonized regulation in the region to foster an enabling environment for the necessary investments for the development of an electricity market in the region and to ensure the maximum benefit to electricity consumers.

3.2. The ECOWAS region is currently experiencing a growth in electricity trade due in particular to the realization of regional energy infrastructure projects undertaken within the framework of WAPP. Hence, to avoid the lack of harmonized regulatory frameworks which could be a major bottleneck in cross-border electricity exchanges, ERERA needs to accelerate the harmonization of regulatory principles and tools between member countries to ensure a uniform application of rules and standards relating to electricity trade in the region.

## **4. Objectives of the project**

4.1. The principal objective of this project is to: facilitate the efficient utilization of regional energy infrastructure to further enhance regional electricity trade. Through these activities and the resulting tools, ERERA will assist national regulatory bodies to acquire adequate knowledge that would enable them to carry out the necessary regulatory work in developing the regional market at the national level.

4.2. The grant will fund technical assistance to promote the development andadoption of regional electricity regulatory principles**,** enhance capacity tomonitor utility performance across the region, conduct a cross-border analysis of electricity tariffs, and develop a centralized database management system.

4.3. The Project seeks to provide tools for harmonizing regulatory frameworks to facilitate the efficient and timely completion and utilization/operation of regional energy infrastructure. This will further enhance regional electricity trade, which is critical to the ECOWAS region.

## **5. The Assignment**

5.1. The aforementioned project has many procurement activities which are key to the successful implementation of the project. It is against this background that ERERA would like to engage the services of an experienced procurement specialist to support the implementation of the project. The objective of the assignment is to manage the procurement activities of the project implementation unit (PIU) in compliance with the AfDB and ECOWAS procurement policies, standards and procedures. The Consultant will be expected to facilitate the timely acquisition of quality goods and services following the procedures.

## **6. Scope of Work**

6.1. The Consultant will execute all procurements under this project. In addition, ERERA’s Chairman and Project Manager may assign additional responsibilities related to the project.

6.2. The Consultant will work with other ERERA Staff and the PIU to effectively and efficiently expedite ongoing procurement activities and completing the activities within the agreed time schedules. The work shall be completed in compliance with the applicable rules of the Bank and the ECOWAS, and will consist, among others, of the following tasks:

6.2.1. Preparation of the Procurement strategy, and projects procurement market research and profiling and its update, procurement of goods and services for the Project in line with the approved and prevailing AfDB Procurement Regulations, the ERERA Procurement Rules and Financial Rules and Regulations.

6.2.2. Update and monitor the Project procurement plan and ensure timely procurement of goods and services as identified in the approved Procurement Plan in accordance with AfDB requirements

6.2.3. Execute planned procurement activities as per the agreed schedule.

6.2.4. Coordinate the preparation of solicitation documents (bidding documents, terms of references, request for proposals, etc.) and manage the bidding/selection processes for the procurement of goods and services under the project;

6.2.5. Coordinate all evaluation activities, reporting, negotiations and drafting of contract agreements.

6.2.6. Recording of all purchase transactions in the SUN Accounting System.

6.2.7. Matching Purchase Orders, Goods Received, Notes and Invoices before these documents are reviewed by the Project Coordinator and ERERA’s Administration.

6.2.8. Ensure contract Management by putting in place contract implementation tracking tools and review mechanisms.

6.2.9. Take the lead on all aspects of procurement for the project and for the requirements specified in the project documents including ensuring that all publications and approvals for all stages of the project are obtained and documented.

6.2.10. Maintain procurement documents in a proper filing system; Maintain an organized filing and documentation system that ensures all procurement documents are well filed and in safe custody.

6.2.12. Participate in project management meetings and AfDB supervision missions.

6.2.13. Preparation of implementation and contract performance update reports and supplier performance reports

6.2.14. Prepare annual, periodic, and ad-hoc procurement reports; and

6.2.15. Any other related duties that may be assigned to you by your supervisors from time to time.

## **7. Reporting**

7.1. The position will report directly to the Project Coordinator or any other officer that may be designated by ERERA’s Chairman.

## **8. Duration**

8.1. The Consultancy service shall span a period of nine (9) months and shall commence immediately upon signing the contract by both parties. The Consultancy may be renewed or extended, subject to satisfactory performance and availability of funds.

## **9. Deliverables**

9.1. Monthly project procurement implementation report.

9.2. Quarterly updated Procurement Plan showing the status of all procurement activities.

9.3. Evaluation reports for each procurement process.

9.4. Contract register for all procurement activities under the project.

## **10. Qualifications**

10.1. The Consultant shall have the following qualifications:

10.1.1. Must hold at least a master’s degree in Procurement, Law, Commerce, Finance/ Accounting/Business administration, Economics, Purchasing and Supplies or any other related field.

10.1.2. Minimum Eight (8) years of relevant working experience, two (2) of which should have been spent working on donor-funded projects.

10.1.3. A professional qualification in Procurement such as Chartered Institute of Purchasing and Supply (CIPS -UK) or other similar national/international professional qualifications is a must if the undergraduate degree is not in a procurement or supply chain field.

10.1.4. Knowledge of, and proficiency in, the use of an application of Public Sector procurement Regulations and Administrative systems particularly of the ECOWAS Region Member States especially those whose procurement laws have been crafted based on the UNITRAL Model laws, and or following reviews of public procurement and country systems following the application of the OECD DAC methodology or, if done more recently, based on the application of the Methodology For Assessing Procurement Systems (MAPS II) Methodology.

10.1.5. Proven experience in procurement practice in the acquisition of goods and works and the recruitment of consultants under donor-funded projects. Knowledge of the AfDB Procurement Policy would be an added advantage.

10.1.6. Ability to carry out end-to-end competitive procurement of goods, non-consultant services and selection of consultants and the required contract management.

10.1.7. Experience in supervising and effectively managing the implementation of development projects and programmes.

10.1.8. Demonstrate good networking skills and judgment and ability to work in a multi-cultural and multi-disciplinary project team.

10.1.9. Ability to communicate effectively (written and oral) at a high level. Knowledge of at least 2 ECOWAS languages will be an added advantage.

10.1.10. Able to work with minimum supervision in multicultural, multi-ethnic settings in teams.

10.1.11. Proficiency in report writing and use of online procurement systems

10.1.12. Advanced skills in the use of MS Office software (Word, Excel, PowerPoint), preferably combined with knowledge and experience in SAP operations.

10.1.13. Perform other related duties as required.

## **11. Evaluation of Offers and Performance**

11.1. The eligibility criteria, the establishment of a shortlist and the selection procedure shall conform with the Bank’s Rules and Procedure for the Selection of Consultants. Interest expressed by a consultant does not imply any obligation on the part of the Bank to include him/her in the shortlist. Interested individuals should provide information on their qualifications and experience demonstrating their ability to undertake the assignment (CV, reference to similar services, experience in similar assignments, etc.). The consultants on the shortlist will be judged on the following criteria based on their updated resumes:

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| --- | --- |
| General Education, Qualification and Relevant Training | 20% |
| Experience and Technical Expertise | 60% |
| Experience in the Region | 20% |
| **Total** | **100%** |

11.2. Only consultants scoring a mark of 70 points or more will be considered for the assignment. All consultants will be ranked and the first on the list will be selected for the assignment if his/her fee rate is within the budget.

**11.3 Applicants would also be registered as Consultants of the AfDB on the “DACON Register”. The register can be accessed on the DACON window of the Bank’s website.**

**11.4 The Technical and Financial Proposals must be delivered via separate e-mails or regular/courier mail.** Please note that the financial proposal must be clearly labelled, submitted separately from the technical proposal and also as hard copy in a sealed envelope

## **12. Fees and Payments**

12.1. The Expert should submit his/her financial proposal consisting of his/her professional fees. The consultant shall meet the cost of any insurance and medical examination, or treatment required by him/her while performing the Services. The consultant shall seek and obtain any visas or resident permits that he/she may require to carry out the Services and perform his/her obligations under the Contract. ERERA shall, as necessary, assist the consultant(s) in obtaining such visas and/or permits.

12.2 The Consultant shall be paid a monthly fee upon acceptance by the Client of monthly outputs. Payments shall be made by direct disbursement by the AfDB, as per the Project Appraisal Report of the AfDB Institutional Support Project.