



Common Market for Eastern
and Southern Africa

COMESA COMPETITION COMMISSION

REQUEST FOR TECHNICAL AND FINANCIAL PROPOSALS FOR PROVISION OF CONSULTANCY SERVICES FOR THE DEVELOPMENT OF THE COMESA COMPETITION COMMISSION PAYROLL MANAGEMENT SYSTEM

RFP: CCC/RFP/07/02/2024

JULY 2024

A. BACKGROUND

1. The COMESA Competition Commission (the Commission) is established under Article 6 of the COMESA Competition Regulations (“the Regulations”). The Regulations were promulgated by the COMESA Council of Ministers (“the Council”) in 2004 under Article 55 of the COMESA Treaty (“the Treaty”).
2. Pursuant to Article 2 of the Regulations, the Commission is mandated to promote and encourage competition within the Common Market by, *inter alia*, preventing restrictive business practices that deter the efficient operation of markets thereby facilitating the regional integration agenda. The ultimate goal of the Regulations is to enhance the welfare of consumers in the Common Market by protecting them against anti-competitive conduct by market actors. The core focus areas under the Regulations include investigation of anti-competitive business practices and conduct; mergers and acquisitions; and consumer rights violations. To implement its mandate under the Regulations, the Commission regularly engages and cooperates with the Member States through sensitization, advocacy programmes, capacity building, technical assistance and provision of advisory opinions.
3. The Commission wishes to procure a Payroll Management System (PMS) that will be a digital platform to support its payroll processes. The System will help streamline benefits administration, payroll management, employee data, and compensation management. It will also leverage technology to increase efficiency and effectiveness in the management of the Payroll functions and ensure the reliability and integrity of the data.

B. PURPOSE OF THIS DOCUMENT

4. This document identifies the User requirements, Functional and Non-functional specifications for a PMS for the Commission. Furthermore, it specifies the scope of work, methodology, and deliverables for the PMS project.

C. MAIN OBJECTIVES OF THE PAYROLL MANAGEMENT SYSTEM

5. The main objectives of procuring the PMS are to help the Commission enhance its payroll system to improve productivity, reliability, flexibility, and cost-effectively minimize response time. Furthermore, it is expected that a digitised PMS will help the Commission to:
 - a) **Work Smarter:** Increase efficiency and reduce back-office interventions thus increasing the performance and reducing costs.

- b) **Work Remotely:** The system should be accessible any time and anywhere. In addition, employees should be able to access their personal information, submit leave requests, update contact details, and view pay slips via an employee self-service portal.
- c) **Work Securely:** Protecting and controlling employee's data and maintaining confidentiality of information on the platform at all times .

D. CURRENT PROBLEMS TO RESOLVE

6. The following problems need to be resolved:

- a) **Technology:** Manual human resource management processes should be automated, and the system should be developed on the latest technologies.
- b) **Mobility:** Staff should be able to access the system and its e-services at any time, from anywhere, and on different types of devices (tablets, mobiles, laptops, etc.).
- c) **Collaboration:** The payroll processes should be able to fully integrate with current and future application systems.
- d) **Security:** The system should meet the security requirements as per industry standards, best practices and IT audit requirements.
- e) **Scalability:** All applications/systems should be able to accommodate new features/modules.

E. SCOPE OF WORK

7. The assignment will involve the following, but not be limited to:

7.1. Implementation and Customization of an Off the Shelf PMS

- 7.1.1. The supplier is expected to implement a comprehensive, user-friendly PMS solution and customize the PMS package according to the Commission's requirements.
- 7.1.2. The PMS solution shall be developed using a modular approach to enhance flexibility, scalability, and maintainability. The solution shall consist of distinct modules, with each module catering to specific PMS functionalities such as benefits administration and payroll administration.
- 7.1.3. The Commission's PMS and other systems shall be seamless, enabled through a Service-Oriented Architecture (SOA) approach [a method of software development that uses software components called services to create business applications, each service providing a business capability, and services which can also communicate with each other across platforms

and languages] or any other integrating approach that follows industry best practices.

7.2. Integration

7.2.1. The PMS should be fully integrated with the Sun Accounting System, the Commission's Portal, Office 365, the active directory and with a workflow management system such as SUN Flow and Electronic Filing and Case Management (EFCM).

7.3. Migration of Data

7.3.1. The bidder should provide an effective and efficient data migration approach of all existing data from the current system (Smart HR) to the configured environment. The successful bidder will be expected to provide full support during the data migration phases, including the identification and resolution of data quality issues.

7.4. Training and Knowledge Transfer

7.4.1. The bidder shall provide a detailed training plan to ensure proper knowledge transfer to the business users as well as the IT Administrators. The bidder shall provide specific training programme for:

- a) Business users [Business users are defined in the Regular Users schema and can perform tasks in the Service Center. Examples of Business users are Application Managers, User Managers/Department Managers, Role Managers, Risk Managers, and End Users] to continue operational responsibility for the delivered solution.
- b) IT staff to enable first line support to users and for the proper administration of the delivered solution.
- c) Business users and IT staff to create and eventually customize reports/dashboards using the proposed reporting tools.
- d) Business users and IT staff to perform basic administration tasks like create users, assign roles to users and de-activate users.

7.5. Documentation

7.5.1. The successful bidder will be required to provide a comprehensive set of documentations regarding the application system including the solution blueprint, system manual, installation manual and user manual.

7.6. Post implementation support

7.6.1. The bidder should provide a minimum of three (3) months on-site post implementation support.

7.7. Warranty

7.7.1. The warranty period should be for a period of 12 months, effective immediately after the expiry of the on-site post implementation support period. The warranty shall cover all configurations and functions as stated in the scope of the work for corrective maintenance.

7.8. Support and Maintenance after warranty period

7.8.1. Bidders shall submit their support and maintenance costs related to support over the next two (2) years after the warranty period, based on an agreed Service Level Agreement (SLA). The support shall cover among others, troubleshooting/bug fixing, patch management, fine tuning, and health checks. Bidder should also provide the response time to blocking/non-blocking issues and their hourly rates for any intervention that is not covered under SLA. The Commission reserves the right to award and renew the Maintenance agreement.

F. PAYROLL MANAGEMENT SYSTEM SPECIFICATION

8. The specifications of the PMS include features that have been divided into Functional Requirements and Non-functional Requirements as follows:

8.1. Functional Requirements

8.1.1. Functional requirements define what a system must do and the features it must have to fulfill user Requirements. This enables a system to meet specific user requirements and describe the system's behavior under specific conditions.

8.1.2. The specific features and functions of PMS to serve the requirement of the Commission will require the following modules with the descriptions indicated below:

a) Employee Data Module

8.1.3. The core Employee Data module should be able to store all the required information about employees (reference data) and will be the main repository for functionality that applies to the whole PMS. This would be Employee

Master Data which will have employees' information in one centralized database.

8.1.4. The employee information will include the following: employee details (name, date of birth, age, address, emergency contacts, next of kin, salary, job title, grade, Division/Unit, incremental dates, dependent information, effective date of contract, contract expiry date, etc.), employment history, employee qualifications, benefits and compensation.

b) Benefits Administration Module

8.1.5. This module should help manage the administration of benefits that aligns with the Commission's applicable benefits and policies, and the approved budget. It should enable users to factor in benefits such as Medical, Education Allowance, Dependency and Spouse Allowances, Overtime, Advances, Acting Allowance (where applicable) and any other applicable benefits. Employees should be able to have easy access to applicable benefits and how they have been utilized through self-service. Features of the module should among others include:

- i. Eligibility rules to determine which employees are entitled to certain benefits.
- ii. Budgets that can restrict managers from overspending.
- iii. Inbuilt Workflows and approval processes.
- iv. Inclusion of data security and control to protect sensitive data; and
- v. Synchronizing data to payroll to avoid rekeying data.

c) Employee Self-services Module

8.1.6. Self-Service Human Resources will enable staff in the Commission to be able to manage information through interfaces personalized to their roles, on-line experience, work content, language, and information needs. Staff would be given user rights to access the Employee Self-Service Module which would allow them to do the following:

- i.* Change personal information;
- ii.* Apply for Leave;
- iii.* View Pay slips Online (including historical payroll);
- iv.* Apply for advances and loans;
- v.* Prepare Individual Training Plans;
- vi.* Perform self-assessments;
- vii.* Update their Curriculum Vitae; and
- viii.* Query personal information.

d) Leave Management module

8.1.7. Leave Management Software facilitates the effective and smooth management of personnel leave. It will enable the Human Resources Unit to always be up to date with the leave management. Its main objective is to handle employees' leave requests impartially while ensuring that the employees' absence from work does not adversely affect the business.

8.1.8. The system facilitates the total leave process, from completing leave applications by employees, leave application approval by Human Resources and the final approving Officer. The salient features required for this module should among others include:

- i. On-line application for leave without the need for paperwork.
- ii. Email notifications to approving officer and applicants.
- iii. Applicant and Approving Officer should be able to have access to and view complete leave records and approval history respectively.
- iv. Leave records to be updated automatically once applications are approved.
- v. Leave records to be printed out or generated into reports.
- vi. Leave records to be exported to any back-end system.
- vii. Advanced features such as block leave, document tracking and leave adjustment; and
- viii. The system should allow for the configuration of all leave policies and requirements, such as leave entitlements and forfeiture of leave days.

e) Payroll Administration Module

8.1.9. The Payroll Administration Module shall be treated as an independent system. As an extension of the first four modules, it would be used to maintain payroll data and manage the payroll process. It is critical in reducing set-up costs, administrative time, and processing errors. The key features of the module should among others include:

- i. To calculate employee salaries and benefits and support multiple currencies.
- ii. Enough payroll codes to meet current and future needs.
- iii. Employee access to pay statements and other tax-related forms.
- iv. Simple data validation tools to ensure data is correct before being submitted.
- v. Payroll comparison to highlight significant changes from one pay cycle to the next.

- vi. User driven process of rules definition with the ability to link user-defined formulas to calculate any type of payroll element (payment, deduction, tax, benefit).
- vii. Process many payrolls quickly and easily in a single day.
- viii. Create innovative compensation plans – from salary, overtime, and union deductions to health insurance, and company pension contributions.
- ix. Make retroactive adjustments to employee past earnings or deductions based on changes to pay rates, contribution table values, or other information.
- x. Examine employee payment history at any time.
- xi. Perform all the necessary post processing to generate payment for employees once satisfied that payroll run results are correct; and
- xii. Advanced feature that allows you to undo and correct payment mistakes (with clear audit trail)
- xiii. Tight integration with the Employee Data Module to avoid rekeying data and maintain the reliability of the data.
- xiv. Integrability with the existing Sun System or any other accounting systems to facilitate timely, accurate and seamless payments of salaries and benefits.

f) *Analytics and Reporting module*

8.1.10. The system should provide a flexible management reporting tool with data extraction in various formats such as PDF or Excel and include drilling down capabilities. It should include interactive dashboards and highly formatted reporting. Users should be able to design their own reports and generate them in a wide range of formats including listing, charts, and pivot tables. Users should be able to access data at different levels of granularity in a single report itself.

8.1.11. The objective is to facilitate decision-making with regard to Payroll issues.

8.2. Non-Functional Requirements

8.2.1. Non-functional requirements or features are not related to the system functionality but define how the system should perform. Some examples are the technical specifications including security, scalability, user-friendliness speed, Usability, Maintainability, Support, Regulatory, Compatibility and integrability among others are detailed below.

8.2.2. These features are usually expressed as constraints or criteria that define a level of freedom for developers or users. Although non-functional requirements may seem a bit subtler, they are still as important as functional features. The description of the Non Functional features that will be required in the PMS are as follows:

8.2.2.1. External interface requirements:

These requirements include user interfaces, the interaction logic between software and the user, screen layouts, buttons, functions on every screen, and hardware interfaces such as but not limited to:

- a) *User interface requirements:* The user interface is key to application usability. The System should include content presentation, application navigation, and user assistance.
- b) *Role-based User Groups:* The system must provide users with screens focusing on their roles (minimizing clutter).
- c) *Dynamic content presentation:* The system should allow users to select appropriate settings and property values on display options that fit their preferences, e.g., the choice of whether data appears in a grid, a chart, or a grid/chart combination.
- d) *User assistance:* The system should provide online help that includes comprehensive instructions on using each feature. The users should be provided with default mechanisms for accessing help pages, e.g., by clicking the question mark icon across all the screens or a distinct Help menu option in the menu bar should link to a comprehensive help resource that is provided in various formats, e.g., Wiki, PDF, etc.
- e) *User navigation:* the system should provide a simple traceable navigation of the entire system with options clearly showing the users where they are and how they can navigate away from the current screens and the consequences of doing so.
- f) *Saving users' work:* The system should provide users performing data manipulation tasks to save their work at a certain point or make a particular view of the data available to other users.
- g) *Branding guide:* the system interface design will adhere to the Commission's branding guide, which shall be provided.

8.2.2.2. Hardware interface requirements

All server-side components must execute on server-class computers, and all client-side components must execute on workstation-class and personal-class computers.

8.2.2.3. Software interface requirements

- a) The system shall communicate with the Commission's active directory system to provide role-based authentication, as provided during the detailed requirements gathering stage.
- b) The system shall interface with the Commission's Financial Management System to interface staff costs and relevant expense accounts and salary payments directly to staff bank accounts.
- c) The system should be able to integrate with a Document Management System and a workflow management system.

8.2.2.4. Communication interface requirements

Web browser: The system must provide an option to be accessed via the internet using the latest browsers e.g., Chrome, Edge, Mozilla, Safari with backward compatibility support to 2 versions.

Note: in a scenario where the system uses third party plugins to run, this must be stated in advance for information security tests and clearance.

Communication standards and Network server communications protocols: All communications between the server components and user interactions must be encrypted to safeguard user and data privacy. Only secure protocols shall be permitted e.g., HTTPS, FTPS with appropriate authentication and authorization mechanisms.

Electronic forms: the system must provide interfaces using electronic forms either on the browser or client application. The forms must be secured.

Data transfer rates: The system must provide appropriate data transfer rates that shall be agreed upon meeting performance requirements.

E-mail: the system must provide communication mechanisms with various stakeholders or user groups within the system. This can be achieved via forms that create support tickets or defined emails on the Commission's (comesacompetition.org) domain.

Communication security or encryption: end to end encryption must be provided in all the interactions in the system e.g., chat facilities, web browsers, mobile apps etc.

8.2.2.5. Performance

The system should be responsive and perform efficiently, even with many concurrent users and data. It should have acceptable response times for tasks such as employee data retrieval, report generation, and system updates. System performance is the most important quality in non-functional requirements and affects almost all the other preceding ones. A stress test is to be performed by the vendor once the system is commissioned.

The reliability, availability, and maintainability (RAM) features fall exclusively under these requirements.

8.2.2.6. Reliability

Reliability is the probability and percentage of the software performing without failure for a specific number of uses or amount of time.

8.2.2.7. Availability

The system should be designed to minimize downtime through robust error handling, fault tolerance, and backup and recovery mechanisms. It should also have appropriate monitoring and alerting capabilities to identify and address potential issues proactively.

8.2.2.8. Maintainability

This feature indicates the average time, ease, and rapidity with which a system can be restored after a failure.

8.2.2.9. Recoverability

Recoverability is the ability to recover from a crash or a failure in the system and return to full operations.

8.2.2.10. Capacity

This feature indicates the system's storage capacity, which is dependent on its type and characteristics. The system should have enough storage capacity and backup to store all the employee data.

8.2.2.11. Serviceability

This feature indicates how easy it is to perform service when necessary.

8.2.2.12. Security

- a) Security measures ensure the software's safety against espionage or sabotage. These features are necessary even for stand-alone systems and it is necessary to ensure that access to sensitive data is restricted or limited. Some security features may include encryption of data on database and web services, implementation using HTTPS, only authorized users are able to access the system via an authentication mechanism and Role based access.

- b) The PMS shall implement secure user authentication mechanisms, including username/password, multi-factor authentication (MFA), or Single Sign-On (SSO). User access to PMS functionalities and data shall be role-based, with strict control over user permissions. The system shall enforce strong password policies, requiring password complexity, regular expiration, and lockout after multiple failed login attempts. Additionally, employee data, such as personal information, financial records, and performance evaluations, shall be encrypted both at rest and during transmission to safeguard data privacy. The PMS shall comply with data privacy regulations and ensure data subject rights, including data access, rectification, and erasure (right to be forgotten).

- c) A detailed audit trail of user activities, including login attempts, password changes, and data access, shall be maintained, along with continuous monitoring for potential security threats. Access control measures shall be implemented within the PMS, enforcing role-based restrictions on specific modules and data based on user roles and responsibilities. Administrators will have the necessary authority to grant, revoke, or modify user access rights as required.

- d) Employee data should be securely stored in a centralized database, protected against unauthorized access or tampering. The system shall incorporate mechanisms to prevent common security risks or OWASP top ten vulnerabilities, such as SQL injection attacks. All communications between the user's browser and the PMS shall be encrypted using HTTPS to prevent eavesdropping and man-in-the-middle attacks. Additionally, the PMS should implement secure session management to prevent session hijacking and enforce session timeouts after a period of inactivity. The system should allow to perform regular data backups to ensure data integrity and facilitate data recovery in case of system failures or data loss.

8.2.2.13. Environmental

These factors concern the software's environment in terms of how long it should be operational and what external factors might affect it.

8.2.2.14. Data integrity

Data integrity refers to maintaining and assuring data accuracy and consistency over its entire lifecycle. If this factor is corrupted, data is lost due to a database error.

8.2.2.15. Interoperability

All system components must follow a common and standard set of exchange formats to exchange data. It is essential to follow standards in order to ensure interoperability.

8.2.2.16. Usability

This feature concerns the users as it indicates how effectively they can learn and use a system. It defines how difficult it will be for a user to learn and operate the system. Usability can be assessed from different points of view such as the level of user friendliness and ease of use of the system or how simple it is to understand the interface, buttons and headings.

8.2.2.17. Scalability

The robustness or the elasticity of a system is a major quality to be considered. Failing to meet non-functional requirements will cause users dissatisfaction and will ultimately lead the system to fail in the market.

8.2.2.18. Seamless Integrability

This is a very critical feature in any system as it facilitates the integration of multiple IT components to work seamlessly together. Since the Commission uses the sun system to process payment, the integration of the two systems is a must. The PMS should also be able to integrate with other systems such as document management systems, workflow and Business Intelligence. It should provide standardized interfaces (APIs) or support industry-standard integration protocols to facilitate data exchange and interoperability.

8.2.2.19. Compliance

The PMS should adhere to relevant legal and regulatory requirements, such as data protection and privacy regulations and employment law. It should support features and controls to ensure compliance, such as data retention policies, audit trails, and consent management.

8.2.2.20. Mobile Compatibility

The PMS should be accessible and functional on mobile devices, allowing users to perform essential tasks on smartphones or tablets. The user interface should be responsive and optimized for mobile screens, enabling employees and managers to access payroll information on the go.

G. PROJECT DELIVERABLES

9. The following mandatory deliverables should be provided:

SN	Deliverable	Details
1.	Project Management Plan and Project Documents	<p>The project management plan shall cover the following aspects:</p> <ul style="list-style-type: none">i) Project approach and organizationii) Requirement Managementiii) Scope Managementiv) Schedule Managementv) Deliverable Planvi) Configuration managementvii) Quality Managementviii) Risk Managementix) Change management, communication, and training planx) Go-Live Planxi) Warranty service plan <p>The supplier shall update the project plan at the end of each project phases. Furthermore, the supplier is expected to provide regular weekly progress reports or as specified by the Commission.</p>
2.	Solution Blueprint	<p>The solution blueprint shall cover all the functional, technical, migration and security requirements as well as the system architecture of the proposed solution.</p>
3.	User Acceptance Test (UAT) Document	<p>Bidder should submit the UAT test scripts and ensure that all the UAT scenarios are catered for the requirements expressed by the users. The UAT exercise should consist of different rounds of testing.</p>

		The bidder should ensure that a full-fledged testing has been carried out prior to UAT.
4.	A fully operational and bug free efficient system as per requirement	The supplier shall provide a fully operational and bug free system prior to Go-Live. The following will have to be addressed to the satisfaction of the users prior to Go-Live of the system: <ul style="list-style-type: none"> a) All requirements of the users (including IT Security requirements) have been catered for in the Application Software. b) All identified scenarios are fully and comprehensively tested during each round of UAT. c) All bugs identified during UAT have been dealt with. d) Trainings on System Administration and Application Software have been delivered. e) All documentations are provided
5.	Commissioning report	The Commissioning report shall include among others: <ul style="list-style-type: none"> a) The level of customization for each module configured b) System setup document c) Security Policies The sign-off shall be done at the end of the operational acceptance.
6.	Training	Training for business users as well as Administration training for IT department. A comprehensive user manuals and Administrator manual for each module configured shall be delivered.
7.	Warranty Plan	The bidder shall provide all the terms and condition of the warranty.
8.	Support Agreement	The bidder shall provide all the terms and condition of the support. Furthermore, the bidder should provide a monthly progress report on maintenance & support activities and a periodic SLA performance report.

H. OTHER REQUIREMENTS

10. The bidder is required to sign a Non-Disclosure Agreement (NDA).

- 11. The system should support multilingual applications.
- 12. The PMS shall be developed using the latest and most up-to-date technologies and frameworks.
- 13. The security features of the system shall meet industry standards and best practices.

I. PAYMENT TERMS

14. The structure of payment shall be as follows:

14.1. Implementation Services

Lot number	Deliverable	Payment
1	1. Project Management Plan and Project Documents	10%
	2. Solution Blueprint	10%
	3. User Acceptance Test (UAT) Document	30%
	4. A fully operational and bug free efficient system as per requirement	30%
	5. Commissioning report	20%
	TOTAL	100%
2	6. Training	20%
	a) Training plan for users and administrators	60%
	b) Training report of users and administrators	
	c) comprehensive user manuals and Administrator manual for each module configured	20%
	TOTAL	100%
3	8. Support Agreement	Paid quarterly

14.2. Support Services

S.N	Deliverable	Payment
1	12 Months post go-live Warranty	0%
2	Annual Maintenance Contract	paid quarterly

15. Bidders shall give a breakdown of the prices as per below Bill of Quantity:

Items	Qty	Lot number	Amount (USD)
Implementation of Employee Data module, Benefits administration, Leave Management, Employee Self-service, Payroll module & Interfaces including Reports and Analytics Module	1	Lot 1	
Training on Employee Data module, Benefits administration, Leave Management, Employee Self-service Modules, Payroll module	1	Lot 2	
1 Year Full Maintenance – All modules Modules	1	Lot 3	

J. PROJECT APPROACH, METHODOLOGY & GOVERNANCE

16. The bidder is expected to describe how the firm intends to manage all aspects of the work to be performed, including schedules for completion of tasks/subtasks, procedures for scheduling and cost control.

17. Based upon the proposed project approach and work plan, provide a Project Gantt chart detailing the project schedule, phase, task and subtask duration, proposed phasing for roll-out of proposed system and highlight key milestone dates that illustrates the duration of tasks listed in the scope of work and identifies results and deliverable milestones.

K. TESTING, QUALITY ASSURANCE & CHANGE MANAGEMENT

a) Testing and User Acceptance Testing (UAT)

18. The bidder should commit to submitting Unit Test Plans, System Test Plans, Integration Test Plans, and Load and Stress Test Plans. The Test Results should be submitted to the Commission as evidence of full-fledged testing carried out prior to UAT.

19. The bidder should submit UAT test scripts to ensure that the UAT scenarios meet all the users' requirements. A comprehensive user manual should be available before the training.

20. The UAT exercise should consist of different rounds of testing as follows:

- i) Round 1 should consist of executing all the test scenarios business flow wise and identify list of issues if any by the users
- ii) Bidder should commit to ensure that issues identified in Round 1 are fully addressed to the satisfaction of the users prior to starting the next round (Round 2)
- iii) Bidder should also commit to producing evidence that that non-regression testing has been performed prior to starting next round,
- iv) Subsequent rounds are conducted until no further issues are identified.

b) Quality Assurance Plan

21. The bidder shall provide a proper Quality Assurance plan to ensure the success of project. The bidder should ensure that all work products are evaluated and that evidence is provided to the fact that:

- i) It conforms to specified requirements.
- ii) It has been produced according to the project standards and processes.

c) Change Management

22. As the implementation and adoption of business process changes will be vital to the success of the project, the consultant should be able to explain and communicate business process changes and their associated requirements to individuals throughout the Commission including to executive managers, division heads, subject matter experts, and end-users. The consultant shall provide guidance and mentor the project core team to successfully implement the overall business transformation and system changes for the Commission.

L. COMPANY PROFILE AND PROFILE OF CONSULTANTS

23. A company profile of the bidder as well as a list of staff that would be involved in the project and their respective qualifications and experience should be provided.

24. In this respect, bidders are required to submit information on reference sites and staff profiles as per format at Annex II

25. The Commission shall be notified in writing of any change or replacement of staff being assigned on the project as per their response of the bidding document. Respective qualifications and experience of any new staff joining the implementation

team should be provided. The Commission reserves the right to approve any such change.

26. To be eligible for this exercise, bidders should have at least three (3) reference sites where they have successfully implemented a similar project.

M. REPORTING AND MANAGEMENT

27. ***The successful bidder will work with the Digitalisation Committee of the Commission and under the overall management and supervision of the Director and Chief Executive Officer.*** The Director and Chief Executive Officer will provide quality assurance and ensure that the documentation produced is reviewed and approved. The Director and Chief Executive Officer will ensure that the Consultant receives all relevant documentation with respect to the assignment necessary for the execution of his/her tasks.

N. CRITERIA FOR EVALUATION OF PROPOSALS

28. Bidders must provide both Technical and Financial proposals (separately). The evaluation shall be based on the following attributes:

- a) The overall responsiveness and quality of the proposal clearly stating an understanding of the work to be performed;
- b) Technical ability of the proposer to perform the required services;
- c) The experience and reputation of the proposer as represented in the response and the quality of references;
- d) Costs of services, fees and expenses will be particularly important factor when all other evaluation criteria are relatively equal.

29. The technical proposal will be assigned a weight of 80% and the financial proposal will be weighted at 20%

Table 1: Criteria for Overall Technical Evaluation

Evaluation Attribute		%
T1	Understanding of the Terms of Reference	20
T2	Relevant experience of the consultant/ firm in similar assignments	30
T3	Proposed methodology, approach and implementation plan	40
T4	Qualifications and professional experience of key experts	20
	Total	100

30. A proposal shall be considered unsuitable and shall be rejected at the technical stage if it does not respond to important aspects of the Terms of Reference and it fails to achieve a minimum technical score of 70%.

O. EVALUATION AND COMPARISON OF PROPOSALS

31. To assist in the examination, evaluation and comparison of proposals, the Commission may ask the bidders for clarification of their proposals. The request for clarification and the response shall be in writing and no change in price or substance of the Proposal shall be sought, offered or permitted.

32. The Commission will examine the proposals to determine whether they are complete, whether any computational errors have been made, whether the documents have been properly signed, and whether the proposals are generally in order. If there is a discrepancy between words and figures, the amount in words will prevail.

33. Before the detailed evaluation, the Commission will determine the substantial responsiveness of each proposal to the Request for Proposals (RFP). For purposes of these Clauses, a substantially responsive proposal is one, which conforms to all the terms and conditions of the RFP without material deviations. The Commission's determination of a proposal's responsiveness is based on the contents of the proposal itself without recourse to extrinsic evidence.

34. A proposal determined as not substantially responsive will be rejected by the Commission and may not subsequently be made responsive by the bidder by correction of the non-conformity.

P. BID SUBMISSION

35. The proposals must be submitted with the following:

- a) Updated CV for the bidder/s including contacts: e-mail and telephone numbers
- b) Covering letter and proposal detailing their understanding of the assignment and highlighting experience and expertise in similar works as well as a detailed approach and methodology for carrying out the assignment including an outline of the supporting documents/ projects and their references.
- c) Certified copies of academic and professional qualifications.

36. The bidders should also confirm and provide evidence that:

- a. they have the legal capacity to enter into the contract; provide a copy of certificate of incorporation or registration of the company as per the applicable laws of their country)
- a. For Firms, that they are not insolvent, in receivership, bankrupt or being wound up. Their business activities have not been suspended, and they are not the subject of legal proceedings for any of the foregoing; (provide copies of the last three (3) preceding years financial audited accounts)
- b. For Firms, that they have fulfilled their obligations to pay taxes and social security contributions, and for that purpose, documentary evidence to be provided by the relevant authorities to demonstrate that the bidders have met their obligations; (provide copy of valid and current tax compliance certificate);
- c. that their servants, or agents have not offered any inducement to any employees of the Commission (provide written declaration).

Q. AMENDMENTS OF PROPOSAL DOCUMENT

37. At any time before the proposal submission deadline, the Commission may modify the Proposal documents by issuing an addendum for any reason.

R. COST OF TENDER

38. The bidder shall bear all costs associated with the preparation and submission of the proposal. The Commission will in no case be responsible or liable for those costs, regardless of the conduct and outcome of the tender.

S. CANCELLATION OF TENDER

39. In the event of cancellation of the tender, bidders will be notified in writing of the cancellation by the Commission. The Commission is not obliged to justify those grounds.

T. OWNERSHIP OF TENDERS

40. The Commission retains ownership of all tenders received under this Request for Bids. Consequently, bidders have no right to have their tenders returned to them.

U. NEGOTIATION AND FINALISATION

41. After the selection of the best proposal and notification to the selected party, the Commission will commence negotiations with that party for purposes of concluding an agreement.

V. AWARD OF CONTRACT

42. Prior to expiration of the period of bid validity, the Procurement Committee will award the contract to the qualified Bidder whose proposal after being evaluated is considered to be the most responsive to the needs of the organization and activity concerned.
43. The Commission reserves the right to wholly or partially reject or award the contract to any bidder and has no obligation to award this tender to the highest ranked bidder.
44. The Commission also reserves the right to annul the Bid process and reject all Bids at any time prior to award of contract, without thereby incurring any liability to the affected Bidder(s).

W. SIGNING OF CONTRACT

Within 14 days of receipt of the contract the successful bidder shall sign and date the contract and return it to the Commission.

X. CONFIDENTIALITY

45. Information relating to evaluation of bids and recommendations concerning awards, shall NOT be disclosed to the Bidders who submitted the bids or to other persons not officially concerned with the process, until the winning firm has been notified that it has been awarded the contract.

Y. CORRUPT AND FRAUDULENT PRACTICES

46. The Commission requires that Bidders observe the highest standard of ethics during the procurement and executions of contracts.
47. For the purposes of this provision, COMESA defines the terms set forth below as follows:
 - a. "**corrupt practice**" means the offering, giving, receiving or soliciting of anything of value to influence the action of a public official in the procurement process or in contract execution: and
 - b. "**fraudulent practice**" means a misrepresentation of facts in order to influence a procurement process or the execution of a contract to the detriment of the Commission, and includes collusive practice among Bidders (prior to or after bid submission) designed to establish bid prices at artificial non-competitive levels and to deprive the Commission of the benefits of free and open competition.

Z. FORMAT AND SEALING OF PROPOSALS

48. The bidder shall submit the proposal in one envelope containing two sealed envelopes by the closing date set forth below through courier services, hand delivery or electronic submission to the following address:

The Chairperson – Procurement Committee
COMESA Competition Commission
5th Floor Kang'ombe House
P.O. Box 30742
Lilongwe
MALAWI
Tel: (265) 1 772466
Email: procurement@comesacompetition.org

49. This deadline applies to both electronic submission (e-mail) and/or hand delivered, registered mail or courier service. Any of the two modes of submission, i.e. hand delivered or electronic submission that is made first shall be the submission date. Proposals received after the deadline shall automatically be rejected, and there shall be no exception on this.

50. Electronic submission of proposals shall be submitted by the closing date, in a PDF password protected format which you will have to provide the password during the tender opening scheduled for 30 July 2024 at 15:00 hours to the following email address: procurement@comesacompetition.org

51. Bidders shall submit one original technical proposal and one original financial proposal. Each proposal shall be in a separate envelope indicating original or copy, as appropriate. All technical proposals shall be placed in an envelope clearly marked "Technical Proposal," and the financial proposals in one marked "Financial Proposal." The envelope containing the financial proposal shall also bear a warning "**DO NOT OPEN WITH THE TECHNICAL PROPOSAL**". These two envelopes, in turn, shall be sealed in an outer envelope bearing the address and information indicated in paragraph 22 above. The envelope shall be clearly marked: "**DO NOT OPEN, EXCEPT IN PRESENCE OF THE EVALUATION COMMITTEE.**"

52. **In the event of any discrepancy between the original and the copy, the original shall govern.**

53. **NOTE:** If envelopes are not sealed and marked as per instructions in this clause, the Commission will not assume responsibility for the proposal's misplacement or premature opening and – at its discretion – reject the proposal.

AA. DEADLINE AND SUBMISSION OF PROPOSALS

54. The deadline for submission of proposals is 13:00 hours Malawi Time on 30 July 2024. Bidders are invited to attend the virtual opening of the bids scheduled to be held on 30 July 2024 at 15:00 hours Malawi Time.

55. Any proposal received by the Commission after the deadline for submission of proposals shall be rejected. There shall be no exception to this requirement.

56. The Commission does not bind itself to accept any proposal and reserves the right to accept the whole or partially any of the submitted proposals. Further may not justify the reasons for rejection of the proposal pursuant to Rule 15 (1) of the COMESA Competition Commission Procurement Rules, 2023.

BB. TECHNICAL QUERIES

57. For any queries, kindly contact the Procurement Unit at the following email address: procurement@comesacompetition.org with a copy to compcom@comesa.int. All queries can be made in writing until 7 working days prior to the deadline to the address indicated in paragraph 48 above that is on 23 July 2024 at 15:00 Hours Malawi Time. Contacting any staff member of the Commission in any manner whatsoever on the subject of this tender other than the Procurement Unit shall be considered inappropriate and may result in the disqualification of the bidder.

ANNEX 1: BID SUBMISSION SHEET

[This Bid Submission Sheet should be on the letterhead of the Bidder and should be signed by a person with the proper authority to sign documents that are binding on the Bidder.]

Date: [insert date (as day, month and year) of bid submission]

Reference No: [insert Reference number]

To: The Chairperson of the Procurement Committee

- a) I/We, the undersigned, declare that:
- b) I/We have examined and have no reservations to the Bidding Document;
- c) I/We offer to provide the services in conformity with the Bidding Document for the [insert a brief description of the Services];
- d) I/We hereby submit our bid which includes the following (to state the documents included);
- e) The bid shall be valid for a period of six months from the date fixed for the bid submission deadline in accordance with the Bidding Document, and it shall remain binding upon us and may be accepted at any time before the expiration of that period;
- f) I/We are not participating, as Bidders, in more than one bid in this bidding process;
- g) I/We did not offer any inducement to any employees of the Commission;
- h) I/We do not have any conflict of interest and have not participated in the preparation of the project document for the COMESA Competition Commission;
- i) My/Our Proposal is binding upon us, subject to modifications agreed during any contract negotiations, and we undertake to negotiate on the basis of the staff proposed in our Bid;
- j) I/We understand that this Bid, together with your written acceptance thereof included in your Letter of Bid Acceptance, shall NOT constitute a binding contract between us, until a formal letter of engagement is prepared and executed; and
- k) I/We understand that you are not bound to accept the lowest bid or any other bid that you may receive.

Name: [insert complete name of person signing the Bid]

In the capacity of [insert legal capacity of person signing the bid]

Signed: [signature of person whose name and capacity are shown above]

Duly authorized to sign the bid for and on behalf of: [insert complete name of Bidder]

Dated on _____ day of _____, _____ [insert date of signing]

ANNEX 2: BIDDER'S REFERENCES

Relevant Services Carried Out that Best Illustrate Experience

Using the format below, provide information on each assignment for which the Bidder, either individually or as a corporate entity or as one of the major firms within an association, was legally contracted.

Bidder's Name:

Assignment Name:		Country:
Location within Country:		Professional Staff Provided by Bidder (profiles):
Name of Client:		Nº of Staff:
Address:		Nº of Staff-Months; Duration of Assignment:
Start Date (Month/Year):	Completion Date (Month/Year):	Approx. Value of Services (in Current US\$):
Name of Associated Consultants, If Any:		Nº of Months of Professional Staff Provided by Associated Consultants:
Name of Senior Staff (Project Director/Coordinator, Team Leader) Involved and Functions Performed:		
Narrative Description of Project:		
Description of Actual Services Provided by the Staff:		

ANNEX 3: COMMENTS AND SUGGESTIONS ON THE SCOPE OF WORK

The bidder is required to give his comments and suggestions on the scope of work as follows:

Scope of work	Comments and Suggestions

ANNEX 4: DESCRIPTION OF THE METHODOLOGY FOR PERFORMING THE ASSIGNMENT

Scope of work	Methodology for performing the Assignment

Annex 5: Team Composition Template

Table 1: Work Assignment and Manpower Input in Man Months					
SN	Name of Expert	Designation	Manpower Input in Months		
			Remote	On-Site	Total
1	John Doe	Project Manager	2	4	6
2	Jane Doe	Solution Architect	0	6	6
3	Expert III	Designation III	2	4	6
4	Expert IV	Designation IV	3	3	6
5	Expert V	Designation V	5	1	6
6	Expert VI	Designation VI	2	4	6
7	Expert VII	Designation VII	2	4	6
8	Expert VIII	Designation VIII	1	5	6

Annex 6: Individual Team Profiles

Curriculum Vitae: Expert 1				
Role in the Project		Role X		
Name of Expert		Expert 1		
Date of Birth		Dd/mm/yyyy		
Nationality		XXXX		
Education				
No.	Degree	College	Year	
1	Bacheleor of Science XXX	College Name	2002	
2	Master of Science XXX	College Name	2010	
Professional Certifications				
No.	Certification	Body and Number	Status	
1	Certified XXX	Body X Certificate #	Active	
2	Certified XXX	Body X Certificate #	Expired	
Expert Profile Summary				
Work Experience				
No	Employer	From	To	Designation
1	Employer X	00/00/0000	00/00/0000	Designation x
2	Employer X	00/00/0000	00/00/0000	Designation x
3	Employer X	00/00/0000	00/00/0000	Designation x
Project Experience Related to Current Assignment				
Project Client		Client Name		
Project Summary				
Responsibilities in the project				
Technologies Used		Technology 1, Technology 2, Technology N		
Sign	Expert Signature	Date	00/00/00	