

COMESA REGIONAL INVESTMENT AGENCY



**REQUEST FOR CONSULTANCY SERVICES TO DEVELOP
COMESA REGIONAL INVESTMENT AGENCY (RIA)
STAFF RULES AND REGULATIONS AND THE
ORGANIZATIONAL STRUCTURE OF THE AGENCY**

August 2023

REQUEST FOR CONSULTANCY SERVICES TO DEVELOP STAFF RULES AND REGULATIONS FOR THE COMESA REGIONAL INVESTMENT AGENCY (RIA) AND THE ORGANIZATIONAL STRUCTURE OF THE AGENCY

1. BACKGROUND

COMESA REGIONAL INVESTMENT AGENCY (COMESA RIA)

Pursuant to Article 160 of the Treaty Establishing the Common Market for Eastern and Southern Africa (hereinafter referred to as the COMESA Treaty), Member States undertook to increase awareness of their investment incentives, opportunities, legislation, practices, major events affecting investments and other relevant information through regular dissemination and other awareness-promoting activities.

The COMESA Regional Investment Agency (COMESA RIA) was, in this context, launched in 2006 for the regular dissemination of COMESA Member States investment incentives, opportunities, legislation, practices, major events affecting investment and other relevant information in view of attracting FDI for the sustainable economic development of the region, in particular infrastructure development.

The main objectives set-out in COMESA RIA's Charter are to:

- Make COMESA one of the major destinations for regional and international investors while simultaneously enhancing national investment; and
- Carry out other activities in the area of investment promotion, facilitation and advocacy in conformity with the COMESA Treaty.

The current Charter also refers to the following functions of the Agency:

- Gather and disseminate information including creation and maintenance of a database and website. RIA will collect and disseminate, through publications and its website, detailed information on policies affecting the business environment, cost of doing business, investment procedures, investment opportunities and other relevant information in Member States.
- Identify and promote investment opportunities, with special focus on projects with regional impact; RIA shall identify and promote infrastructure projects and other investment projects with regional impact.
- Provide training and development support for National Investment Promotion Agencies in Member States and facilitate capacity building programmes at a regional level.
- Promote COMESA as a common investment area; RIA will proactively promote the COMESA and Common Investment Area through several activities including image-building activities abroad, investment missions, website, advertisement and tailor-made public relations programmes.

Within its expanded mandate since its inception, COMESA RIA has also been undertaking working missions for the promotion of the COMESA region as an attractive investment destination and for the building of capacity of Member States Investment Promotion Agencies (IPAs) for attracting investment.

Furthermore, while COMESA RIA's main stakeholders are COMESA Member States IPAs, as reflected in its Board of Directors composition, COMESA RIA's main targets

have been the private sector and the main final beneficiaries the general COMESA population.

The COMESA Region

COMESA is Africa's largest Regional Economic Community. It was notified as a Regional Trade Agreement (RTA) to the World Trade Organisation under the Enabling Clause on 29th of June 1995. As of 2019, COMESA became a fully functioning free trade area. The COMESA Common Investment Area (CCIA) was launched in 2007 and its Customs Union in 2009, both of which are yet to be operational. Moreover, COMESA is working towards becoming a Common Market and a full Economic Community. COMESA is one of the eight regional economic communities recognised by the African Union as the building blocks of the wider African Economic Community and of the African Continental Free Trade Area (AfCFTA) which was launched in June 2015. COMESA Member States are Burundi, Comoros, DR Congo, Djibouti, Egypt, Eritrea, Eswatini, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, Seychelles, Somalia, Sudan, Tunisia, Uganda, Zambia, and Zimbabwe.

CURRENT CONTEXT AND RATIONALE FOR THE ASSIGNMENT

The Charter of the Agency specifically refers to the Staff Rules and Regulations of the Agency that governs all staff related matters. These rules and regulations have not yet been enacted and in their absence the Agency has been resorting to COMESA Staff Rules and Regulations which set out the broad policies governing the human resources management of staff members of the COMESA Secretariat. With the expanded scope of activities of RIA and the need for a revised organizational structure of the Agency it has now become imperative for RIA to have its own Staff Rules and Regulations which will be a customization of COMESA Staff Rules and Regulations that will reflect the needs and aspirations of the Agency and align with those of other similar COMESA Institutions

COMESA RIA has been operating under a horizontal structure with minimal staffing levels but at the same time ensuring a vibrant work environment. However, due to the expanded scope and services RIA has been providing during the past years, as reflected in its 2021 – 2025 Strategic Medium-Term Plan (SMTP), staff members are overstretched and have to put in extra hours to ensure that the Agency's work programme is fully implemented. In addition, the Agency has to rely heavily on assistance from other organizations when organizing major investor conferences to ensure a comprehensive coverage of all identified themes.

RIA requires a revised organisational structure for the fulfilment of its mandate to the satisfaction of all its stakeholders. This structure should be in line with the organisational objectives which put emphasis on marketing, investment development, capacity building, resource mobilisation, research and data analysis, partnership development, amongst others.

2. OBJECTIVE OF THE CONSULTANCY

The overall objective of the consultancy is to develop the Agency's staff rules and regulations, review its organisational structure and propose a revised structure based on best practices in the field.

3. SCOPE OF SERVICES

In line with the above-stated objectives the Consultant shall:

- A) Development of COMESA RIA Staff Rules and Regulations

- i. Review the COMESA staff rules and regulations and that of other COMESA institutions and similar organizations in the field.
 - ii. Hold consultative meeting(s) (physical or virtual or hybrid) with relevant stakeholders and COMESA Institutions for gathering their views and suggestions on the proposal for implementing staff rules and regulations for the Agency.
 - iii. Draft the staff rules and regulations taking into consideration identified best practices, COMESA RIA and appropriate stakeholders' views. Justifications behind the proposal must be clearly spelt out and presented to RIA in a PowerPoint presentation following which views expressed must be incorporated into the draft staff rules and regulations.
 - iv. Submit the draft staff rules and regulations to COMESA RIA.
 - i. Present the staff rules and regulations to appropriate COMESA decision making structures as and when required, address any of their comments and finalize the revised staff rules and regulations accordingly.
- B) Review of the Organizational Structure of COMESA RIA
- i. Assess the relevance of the current organisational structure in view of RIA's mandate and expanded scope of services and activities.
 - ii. Hold consultative meeting(s) (physical/virtually/hybrid) with similar organisations, experts in the field and, where deemed relevant, with specific stakeholders to gather best practices on the structure of regional investment agencies.
 - iii. Based on (i) and (ii) above, develop an appropriate organisational structure with the newly proposed staffing levels.
 - iv. Submit a draft revised organizational structure with budget implications associated with such a structure.

4. DELIVERABLES

The following are the expected deliverables from the Consultant:

- A) Development of COMESA RIA Staff Rules and Regulations
- ii. Submit a preliminary report to COMESA RIA on the initial findings on the review of appropriateness of the current staff rules and regulations applied to the Agency in light of the staff rules and regulations of other COMESA institutions and similar regional organizations.
 - iii. Submit a draft staff rules and regulations.
 - iv. Present the staff rules and regulations to appropriate COMESA decision making structures as and when required, address any of their comments and finalize the staff rules and regulations accordingly.
 - v. Submit the final version of the staff rules and regulations.
- B) Review of the Organizational Structure of COMESA RIA
- i. Assess the current organisational structure of the Agency.
 - ii. Develop an appropriate organisational structure with the newly proposed staffing levels.
 - iii. Prepare and submit a draft revised organizational structure with budget implications associated with such a structure.

5. WORK PLAN, SCHEDULE AND REPORTING

The consultancy is expected to be undertaken during the period of 13th September to 13th October 2023. The reporting structure will be:

- i. Submission of an inception report two weeks after signing the contract.
- ii. Submission of a (i) Draft staff rules and regulations in Word format; and (ii) Draft proposed organizational structure and a four-year plan under the new

- structure along with budget implications associated therewith, three weeks following the approval of the deliverable (i) stated above.
- iii. Submission of the final staff rules and regulations, organisational structure and budget implications linked thereto, two weeks following the approval of the deliverables at (ii) above.

6. REQUIREMENTS

The Consultant will need to have the following qualifications and experience:

COMESA RIA wishes to obtain the services of a consultant (s) with the requisite legal and legislative drafting skills and experience in Investment matters to assist with the development of its staff rules and regulations as well as organizational structure. Proof of having undertaken similar assignments is critical. Further, the consultant (s) is expected to have the following qualifications and experience:

- A) The consultant (s) should have qualifications in law. Qualifications in Investment matters and economics and/or Business Administration shall be an added advantage.
- B) The consultant should have at least 10 years practical related experience.

7. COMMENCEMENT AND COMPLETION OF WORK

The assignment is expected to be implemented during the period of 13th September to 13th October 2023.

8. CRITERIA FOR EVALUATION OF APPLICATIONS

The technical proposal will be evaluated as per the following criteria:

Evaluation Attribute	Percentage Points
Demonstrated understanding of the requirements of RIA	15
Approach and methodology	30
Relevant Experience in carrying out similar assignments for international or regional organisations	30
Relevant experience in working with COMESA and/other African Regional Economic Communities /African IPAs is an added advantage	
Qualifications and experience of the consultant (s) to carry out assignment	25
Total	100

The 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/or fails to achieve a minimum technical score of 70%.

9. SUBMISSION OF APPLICATIONS

Applications can be submitted through email or courier services and should be addressed to:

COMESA Regional Investment Agency
3 A, Salah Salem Road,
Nasr City
Cairo, Egypt 11562

Attention: Mr. Mahmoud Mahgoub
Tel: +202 240 55 421
Fax: +202 240 55 428
Email: mmahgoub@comesaria.org

Please note all tenders must have the tender reference number clearly labelled.

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10. CLOSING DATE OF TENDER

Tenders must be submitted to the COMESA Regional Investment Agency (RIA) by 6th September 2023, 16:00hr, Cairo time.

11. AWARD OF CONTRACTS

COMESA RIA 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 lowest bidder.

12. PRICING

All prices MUST be indicated in United States Dollars.

There will be no price variation to this contract.

The price quoted shall cover all the services required by COMESA RIA as contained in this Request for Proposal. Prices must be inclusive of all taxes and charges.

Prices must be valid for 30 days from the date of close of tender.

13. PAYMENT:

Bidders are required to indicate their professional fees in their offers and their payment terms and conditions.

14. TECHNICAL QUERIES

Technical queries, if any, related to specifications of work or TORs, should be addressed to Mr Mahmoud Mahgoub at mmahgoub@comesaria.org

15. LANGUAGE OF TENDER:

Deliverables from the consultancy work should be in the English language hence proficiency in English is mandatory. Knowledge of any other COMESA language(s) (French or Arabic or both) would be an added advantage.