



EXPRESSIONS OF INTEREST (EOI) – SELECTION OF INDIVIDUAL CONSULTANTS

FOR

CONSULTANCY SERVICES OF A CUSTOMS INFORMATION SYSTEMS EXPERT

EOI NUMBER: PRQ20230309

EOI ISSUE DATE: 1 NOVEMBER 2023

EOI SUBMISSION DATE 23 NOVEMBER 2023 ON OR BEFORE 4.00 P.M. (KENYA TIME)

DESCRIPTION OF SERVICES

CONSULTANCY SERVICES OF CUSTOMS INFORMATION SYSTEMS

BACKGROUND

1.0 EAST AFRICAN COMMUNITY

The East African Community (EAC) is a Regional Economic Community (REC) that was established through a treaty signed on 30 November 1999 and operationalised on 7 July 2000 with the objective to spearhead the economic, social and political integration agenda. The EAC is comprised of the following countries: Republic of Burundi; Republic of Kenya; Republic of Rwanda; the United Republic of Tanzania ; the Republic of South Sudan, the Republic of Uganda and the Democratic Republic of Congo. The key building blocks as articulated in the EAC Treaty include the Customs Union, Common Market, Monetary Union and ultimately the Political Federation. The Region is implementing a Common Market, is putting in place the right fiscal architecture to achieve a Monetary Union by 2024 and adopt a Political Confederation as a transitional model for the East African Political Federation.

The Protocol for the EAC Customs Union came into force in January 2005. The key pillars of the EAC Customs Union are the Common External Tariff and the EAC Rules of Origin and the Customs Management Act 2005. The EAC Common External Tariff (CET) was comprehensively reviewed in 2022 and the structure amended from a three band structure to a four band structure of 35 and 25 percent for finished goods, 10 percent for intermediate goods and 0 percent for raw materials and capital goods. In addition, there is a limited number of products under the sensitive list that attracts rate above the maximum of 35 percent. The EAC Single Customs Territory (SCT) came into effect in 2014. Implementation of the SCT was aimed at improving trade facilitation through the introduction of 'hard and soft infrastructure'; In 2018, the focus of the EAC Secretariat was on operationalization of the primary goal of the Single Customs Territory - free circulation of goods. Elimination of non-tariff barriers based on an online monitoring and tracking system, improved infrastructure like the One-Stop Border Posts (OSBP), introduction of the Integrated Border Management (IBM) and use of Information, Communication and Technology (ICT) has led to increased trade and investment in the Region.

1.1. TRADEMARK AFRICA

TradeMark Africa (TMA), formerly TradeMark East Africa (TMEA), is a multi-donor funded, not-for-profit organisation, established in 2010 to promote regional trade and prosperity in East Africa. TMA combines a regional approach with national-level interventions and works closely with regional institutions (e.g., East African Community (EAC) Secretariat, Corridors Authorities, national governments, private sector, and civil society organisations). TMA has its headquarters in Nairobi - Kenya with offices and programs in Burundi, Rwanda, South Sudan, Tanzania, Uganda, The Democratic Republic of Congo (DRC), Djibouti, Malawi, Ethiopia, Somaliland, and Mozambique. TMA has extended its operations to cover West Africa, Southern Africa, and the Horn of Africa.

TMA has revised its strategic focus in line with national, regional, and global priorities as defined in its corporate strategy (2017 – 2023). The revised Theory of Change (TOC) is anchored on two strategic objectives:

- (i) Reduced Barriers to Trade; and
- (ii) Improved Business Competitiveness.

2.0 RATIONALE OF THE ASSIGNMENT

Article 5(2) of the Treaty for the Establishment of the East African Community provides for the establishment of a Customs Union, a Common Market, a Monetary Union and ultimately a Political Federation in the EAC region. The Protocol on the Establishment of the East African Community Customs Union was concluded in March 2004 and the EAC Customs Union commenced operations in January 2005. The Single Customs Territory (SCT) is one stage toward the actualization of the Customs Union.

The EAC Community commenced the operationalization of SCT in 2014. Implementation of SCT has been progressive and so far, imports, intra-region transfers, and export regimes are already under SCT. Transit regime is at the roll out stage.

Key to the success of SCT has been ICT interconnectivity and software solutions built to facilitate exchange of Customs information among Partner States to hasten clearance of cargo. With the growth in the volume of transactional data exchanged under SCT, and the need to accommodate more government agencies in SCT processes, it is essential to improve the data exchange mechanisms. To this end, Partner States have agreed to implement a centralized SCT Information System platform to facilitate information sharing. As a first step, TradeMark Africa (TMA) has been supporting the implementation of a limited simulation system as a proof of concept for the Centralized SCT Platform.

Partner States have further identified other initiatives that will enhance the efficacy of SCT solutions. These include integration of existing Electronic Cargo Tracking Systems (ECTS) and development of an EAC Customs bond to support Single Customs Territory processes.

In support of the on-going integration process, and in line with its objectives to support the EAC Secretariat in fulfilling its mandate to attain a fully functional Customs Union, Trade Mark Africa (TMA) has extended Technical Assistance (individual consultant) in Customs Information Systems to support continued improvement of SCT processes, the development of a centralized Information System platform, integration of SCT Solutions with Regional Electronic Cargo Tracking System and the EAC Customs Bond.

3.0 OBJECTIVE

To support the EAC Secretariat in fulfilling its mandate to attain a fully functional Customs Union through integration of SCT Solutions with other ICT systems to support the implementation of the Single Customs territory.

4.0 SCOPE OF WORK

The consultant will work with a team of IT Experts at the EAC Secretariat and from Partner States to ensure continued support to existing solutions, developing the requisite IT Customs solutions for effective implementation of the SCT and overall customs administration and management. The consultant will also provide technical support for other initiatives geared toward complementing implementation of SCT.

5.0 RECIPIENT

The Directorate of Customs of the East African Community Secretariat.

6.0 RESPONSIBILITIES

The Consultant will undertake the following duties: -

1. Provide technical support in the development and implementation of the Customs Information Systems to enhance exchange of customs and trade information within the Single Customs Territory framework.
2. Initiate and coordinate the automation of customs processes to facilitate trade.
3. Support Partner States in development and implementation of the WCO Data model and other standards.
4. Support the development, automation, and implementation of SCT solutions by Government Regulatory Agencies.
5. Support the Development of training and sensitization programmes for Customs and stakeholders on customs automation.
6. Coordinate and support Technical Working Groups on the implementation of the Single Customs Territory and undertake continuous improvements to SCT processes.
7. Provide technical advice on modalities for interfacing of customs subsystem and other external systems.
8. Develop and implement strategies on data migration of the cargo tracking systems to the EAC integrator and support the integration of existing Electronic Cargo Tracking Systems (ECTS) with SCT systems.
9. Coordinate the development and implementation of the EAC centralized platform for information exchange under the SCT framework.
10. Support the development and operationalization of a EAC Customs Bond to support SCT processes.
11. Develop and implement strategies on the integration of cargo scanner images.
12. Initiate studies and research that require improvements in the area on Customs IT in the EAC.
13. Assist Revenue and Port Authorities with configuration and / or setup of SCT Customs Solutions; and
14. Any other official duties as may be assigned from time to time.

7.0 METHODOLOGY

The work will be delivered through a collaborative arrangement with EAC Partner States involving continuous identification of Customs IT needs and building on the systems that are already in place. The systems will be benchmarked against international best practice.

The consultant will be required to undertake the duties enumerated above in coordination with the Customs IT Expert and the National Teams, as appropriate.

8.0 OUTPUTS / DELIVERABLES

The Consultant is expected to deliver the following:

- (a) An inception report with an 8 - month work plan within one week from commencement of this consultancy to the Director of Customs.
- (b) Scheduled progress and monthly activity reports to the Director of Customs.

9.0 REPORTING AND MANAGEMENT ARRANGEMENTS AND TMA COORDINATION

The Consultant will report to the Director of Customs at the EAC Secretariat headquarters. The consultant will provide scheduled reports (based on an agreed format) to both the Director of Customs at the EAC Secretariat with a copy to TradeMark Africa. The EAC Secretariat will provide office space and other logistical support including

telephones and Internet access to the consultant. This support will be made available from the beginning of the assignment.

10.0 TIMING AND DURATION

The consultancy is for seven (7) months with possibilities of renewal upon funds availability and satisfactory performance of the consultant.

11.0 REQUIREMENTS

The consultant must have practical experience in implementation of Customs Information Systems and in development of Single Customs Territory software solutions in the East African region and must have a demonstrable record of strong leadership, inter-personal skills including being an excellent communicator. S/he must have proven experience in working with teams of international, regional and local advisors.

12.0 QUALIFICATIONS AND EXPERIENCE:

- (a) Advanced degree in Information Systems, Software Engineering, business informatics or Computer science.
- (b) Relevant academic qualifications or certification in Project Management
- (c) At least 10 years' experience in implementation of Customs Information Systems solutions
- (d) Advanced knowledge in, and demonstrable experience working with, different application integration technologies such as web services, message queue technologies.
- (e) Advanced knowledge and experience working with different data exchange formats such as XML, EDIFACT and JSON
- (f) Sound knowledge of change management and networking in a complex development context.
- (g) Relevant work experience in the countries of the East African Community is an asset.

A. Invitation to Express Interest

TMA therefore wishes to invite interested individual consultants possessing professional and demonstrable experience in the stated services.

B. Expression of Interest (Eol) Requirements

Eols are invited from interested and *qualified individual consultants from the geographic code 937, which is the United States, the recipient country, and developing countries* with appropriate experience and expertise in undertaking the stated assignment. Interested individual consultants are required to:

- Submit the Eol written in the English language,
- Examine the documents comprising this Eol in detail and respond appropriately; and,
- Meet the qualification criteria stipulated. Those who do not meet the requirements need not submit an Eol.

The Eols must remain valid for not less than **120 days from the date of submission**. TMA shall endeavour to complete the evaluation and communicate within this period. The Eol shall be prepared in indelible ink, and it shall contain no interlineations or overwriting, except as necessary to correct errors made by the individual consultant. Any such corrections must be initialled by the person(s) who sign(s) the Eol.

C. Eol Submission

Eols will be submitted as follows:

Submission Mode	Details
Soft copy submissions only Interested and qualified candidates are invited to send their application of a brief technical proposal including an updated Curriculum Vitae and letter of interest and a separate financial proposal (password protected) with subject title as ‘Consultancy Services of Customs Information Systems’	Use the email address below for bid submission. Attention: Head of Procurement Email address: procurement@trademarkafrica.com Date: 23 November 2023 Time: 4.00 p.m. Kenya time

Any Eol received after the deadline mentioned in C above shall be rejected as a late submission and shall not be considered further. All expenses relating to the preparation and submission of the response to this Eol including providing any additional information shall be entirely incurred and borne by the individual consultant.

This Eol does not entail any commitment on the part of TMA, either financial or otherwise. TMA reserves the right to accept or reject any or all Eols without incurring any obligation to inform the affected Consultant/s of the grounds.

All potential individual consultant shall be informed of the outcome of the Eol.

D. Responding to this Eol

Individual consultants will be required to present their Eol submission in a format responding to the specific requirements of the Eol as indicated.

E. Further Information and Clarification

All enquiries about this EoI should be submitted via the email address below:

Particulars	Contact Details
Name:	Attention, Mr. Joe Namwaya Head of Procurement
Email:	procurement@trademarkafrica.com
Subject:	CONSULTANCY SERVICES OF A CUSTOMS INFORMATION SYSTEMS EXPERT

Enquiries must only be for the purposes of clarifying the content of this EoI. All enquiries must clearly specify the tender title, number and section being queried.

Interested individual consultants may request for clarifications on this EoI up to seven (7) days before the submission date. TMA will endeavour to reply within **three (3)** business days of receipt of the sought clarification(s) to any reasonable request for explanation. It will be at TMA discretion to provide additional information where necessary.

F. EoI Evaluation

The EoI shall be evaluated using the criteria below:

- TMA will examine the EoI submissions to determine completeness, general orderliness, and sufficiency in responsiveness,
- The EoI qualification will be based on meeting the minimum criteria regarding the individual consultant's legal status, experience, personnel, and financial position as applicable,
- TMA reserves the right to accept or reject any or all EoI submissions; and
- Any effort by the individual consultant to influence TMA in the evaluation shall result in the cancellation of their tender.

To evaluate technical responsiveness, the evaluation criteria below will be used:

EVALUATION CRITERIA – CONSULTANCY SERVICES OF A CUSTOMS INFORMATION SYSTEMS EXPERT

EVALUATION CRITERIA: CONSULTANCY SERVICES OF A CUSTOMS INFORMATION SYSTEMS EXPERT		
A.	RELEVANT/SPECIFIC EXPERIENCE OF THE INDIVIDUAL (80)	MAXIMUM POINTS (80)
1	Minimum 10 years' experience in interfacing of Customs Information Systems between customs administrations and other agencies involved in the clearance of goods.	25 Marks
a	Experience in problem solving of different complex situations related to data transmission and integration-(provide a clear write up)	15
b	Demonstrated ability to develop, mentor and delegate tasks related to customs interface. (provide a clear write up)	5

c	Has the profound view of the project development and its sustainability (provide a clear write up)	5
2	At least 8 years of experience and clear understanding of Customs interconnectivity solution for the operationalization of the Single Customs Territory.	15 Marks
a	Experience in undertaking systems integration projects involving multi-sectoral Government agencies (provide a clear write up)	10
b	Clear understanding of Customs processes (provide a clear write up)	5
3	At least 5 years' experience in managing ICT projects in Countries implementing a Customs Union	15 Marks
a	Working experience in one of the Partner States or regional Economic blocs handling matters related to IT integration. (Provide a clear write up)	9
b	Demonstrated work experience with multi agency IT systems (provide a clear write up)	6
4	At least 8 years working experience with different integration technologies such as web services, message queue technologies, File Transfer Protocol (FTP) Secure File Transfer Protocol (SFTP) and data exchange formats such as XML, EDIFACT and JSON. (provide a clear write up)	15 Marks
5	Good understanding of the EAC and regional integration aspects including clear understanding of the implementation of the Single Customs Territory framework within the EAC or any other regional bloc. (provide a clear write up)	10 Marks
	Academic Qualifications	MAXIMUM POINTS (10 Marks)
1.	At least a master's degree in computer science, Software Engineering, Management and Information Systems,(attach copies of the certificates and testimonials)	5
2.	Certification in Project Management, Business Analysis, IT Governance, or similar relevant certifications (attach valid copies of the certificates and testimonials).	5
	Total Marks	90

Applicants who attain a minimum of 63% or more out of possible 90 marks shall proceed to the financial stage.

TERMS AND CONDITIONS OF THIS EOI

1. Acceptance of Terms and Conditions

In submitting a response to this Eoi, the individual consultant is deemed to have accepted the terms and conditions of this and all other sections of this Eoi.

2. No Contract

This Eoi process does not create a binding legal contract or relationship either explicit or implied, between TMA and any individual consultant.

The issue of and response to this Eoi does not create any obligation on TMA to enter into any commitment to procure services specified in this Eoi.

3. Cancellation, Suspension or Change to Eoi

TMA reserves the right in its sole and unfettered discretion to:

- a) Cancel or suspend this Eoi or vary any of the terms, dates, timings or processes in this Eoi;
- b) Call and/or re-advertise for responses or revisit any evaluation criteria or process pertaining to this Eoi; and
- c) Seek clarification about any response.

4. Official Communication

Individual consultants must provide their full contact details for the purpose of making and receiving communications about this Eoi.

5. Assumptions and Interpretations

Individual consultants will document their interpretations, assumptions, and perceived risks they have used in response to this Eoi where they deem necessary.

6. Ownership of Documents

This Eoi is the property of TMA and may not be copied or reproduced in any way, other than for the purpose of preparing and submitting responses without the prior written approval of TMA. The submissions to TMA shall be retained by TMA.

7. Conflict of Interest

Individual consultants will ensure that, throughout the evaluation process, TMA is kept informed of any perceived, potential, or real conflicts of interest that should reasonably be brought to the attention of TMA, where such conflicts arise from the interests or duties of the individual consultant.

8. Acceptance of Submissions

TMA shall not accept a submission which does not comply with or fails to provide the information specified in this Eoi.

9. Notifications

TMA will notify all individual consultants on the outcome of this EoI once the evaluation process has been completed.

10. Confidentiality

The information provided in this EoI and any other information, material or communication released during this EoI process is for the sole purpose of enabling an individual consultants to prepare and present a comprehensive submission.

11. Liability

TMA will not be liable (in contract or tort, including negligence) for any direct or indirect damage, loss, or cost (including legal and lawyer/client costs) to any individual consultants or other person in respect of this process.

12. Costs and Charges

This EoI is issued on the understanding that no charge will be made by the individual consultants for preparation of any EoI submission or any other information that may be supplied.

13. Applicable laws

This EoI and any subsequent decisions, actions, contracts, or outcomes are subject to and governed by the laws of *Kenya*.

14. Evaluation Process

A formal evaluation process will be followed to ensure a fair and transparent assessment of each submission as well as eliminate submissions which do not meet the minimum criteria. The submissions that do meet minimum criteria will be evaluated based on the best fit to the objectives and will be short listed for participation at the interview or Request for Proposals (RfP) stage.

15. Supplier Code of Conduct

All Consultants are required to sign the Supplier Code of Conduct attached separately.

16. Confirmation of Experience Letters / References

References of potential individual consultants which have been given by a current TMA employee shall not be accepted in support of a submission of a bid as part of a procurement process. For the avoidance of doubt, TMA Certificates of Assignment Completion signed by the Head of Procurement are acceptable in support of applications, bids, proposals, or submissions.

17. Eligibility

- a) For the avoidance of doubt, this EoI is **ONLY** open to individual consultants and not sole proprietors;
- b) **Authorized Geographic Code** - The geographic code for the procurement of the services under this assignment is 937, which is the United States, the recipient country, and developing countries. Any submission received from countries not mentioned in code 937, will be disqualified. The list of eligible countries to participate in this tender can be accessed via <https://www.usaid.gov/sites/default/files/documents/1876/310maa.pdf>

18. Due diligence

TMA shall conduct a reasonable search of publicly available information to determine whether the partner is suspected of any activity relating to organised crime, including financing or other support. Contracting shall be subject the outcome from the search.

19. Complaints

Any questions, queries or concerns about the procurement process should be raised directly with the Head of Procurement in the first instance via procurement@trademarkafrica.com, who will address the matters raised.

If the matter is not satisfactorily resolved, the complainant is encouraged to write to complaints@trademarkafrica.com.

ANNEX 1: CURRICULUM VITAE TEMPLATE**CURRICULUM VITAE (CV)**

Position Title and No.	{e.g., K-1, TEAM LEADER}
Name of Expert:	{Insert full name}
Date of Birth:	{day/month/year}
Country of Citizenship/Residence	

Education: {List college/university or other specialized education, giving names of educational institutions, dates attended, degree(s)/diploma(s) obtained **attach valid copies of the certificates and testimonials**}

Employment record relevant to the assignment: {Starting with present position, list in reverse order. Please provide dates, name of employing organization, titles of positions held, types of activities performed and location of the assignment, and contact information of previous clients and employing organization(s) who can be contacted for references. Past employment that is not relevant to the assignment does not need to be included}.

Period	Employing organization and your title/position. Contact info for references	Country	Summary of activities performed relevant to the Assignment
[e.g., May 2015 - present]	[e.g., Ministry of, advisor/consultant to... For references: Tel...../e-mail.....; Mr. Hbbb, deputy minister]		

Membership in Professional Associations and list of any Publications made to date:

Language Skills (indicate only languages in which you can work ranking from 1 to 5 for speaking, writing, and reading where 1 is poor and 5 is excellent):

Language	Reading	Writing	Speaking

Adequacy for the Assignment:

Detailed Tasks Assigned on Consultant's Team of Experts (<i>insert the period</i>)	Reference to Prior Work/Assignments that Best Illustrates Capability to Handle the Assigned Tasks
{List all deliverables/tasks in which the Expert will be involved}	

Individual consultant's contact information : (E-mail: Phone:)

Certification:

I, the undersigned, certify that to the best of my knowledge and belief, this CV correctly describes myself, my qualifications, and my experience, and I am available to undertake the assignment in case of an award. I understand that any misstatement or misrepresentation described herein may lead to my disqualification or dismissal by the Client, and/or sanctions by the Client.

{Day/month/year}

Name of individual consultant

Signature

Date

Note:

1. Failure by the individual consultant to sign the CV (physically or electronically), may lead to the CV not being considered altogether.
2. Failure to submit copies of certificates and/or accreditation may lead to the CV being invalidated.

ANNEX 2: EMAIL SUBMISSIONS GUIDELINES

Guidelines for Bidders for Bid Submissions via Email

1.1 Bidder Guidance for Emailed Submissions

- a) TradeMark Africa (TMA) will automatically send an email acknowledgment for all applications, bids, proposals and/or submissions received via the email addresses stipulated/specified in the bidding document. If a bidder does not receive an email acknowledgment **IMMEDIATELY** after submitting their applications, bids, proposals and/or submissions, via the email address stipulated in the bidding document, **IMMEDIATELY** contact TMA's Procurement unit using the mobile phone number, **+254 731 884 428**, to confirm whether the applications, bids, proposals and/or submissions were received.
- b) Bidders must not ignore any bounce back email received regarding rejection of an emailed application, bid, proposal and/or submission. If such an email is received, contact TMA's Procurement unit **IMMEDIATELY**.

1.2 Possible Reasons for Emailed Submission Rejection

- a) The email submission exceeded the maximum size of 5 MB;
- b) The subject line matched a known phishing subject line;
- c) The email contained a known phishing Uniform Resource Locator (URL), or the email originated from a server associated with phishing;
- d) The outbound mail server was present on a subscribed blacklist; or
- e) The email contained a virus or malware.

1.3 Remedial Action for Rejected Email Submission Prior to Tender Closing Date & Time

Prior to the tender closing date and time, if a bidder's submission is rejected, the following remedial action should be explored prior to re-submission.

- a) If the collective size of the emailed attachments **exceeds 5 MB**, the bidders should resubmit through multiple emails or may use other modes such **WeTransfer, Dropbox, or Google drive**. The bidder shall be required to clearly identify how many emails constitute the full submission.
e.g., email **1 of XX**;
- b) If the emailed submission included zipped or executable files, unzip or remove the executable files then resubmit through one or more emails (refer to point 1.3a) above if the files collectively exceed 5 MB);
- c) If the email submission is rejected because of a blacklisted domain, the bidder is required to resend the submission from a different email account from a different domain that is not blacklisted, e.g., Gmail. Please note, this should be done before the stipulated tender submission deadline; and
- d) If the email submission is rejected because of a virus/malware in the email or any of the email attachments, ensure that the virus/malware is removed/cleaned prior to resubmission.

TMA's Procurement unit shall only consider and review cases of undelivered applications, bids, proposals and/or submissions, when it is brought to our attention by the affected bidder/s prior to the tender submission deadline.

Automatic Email Acknowledgement sent from the Procurement and Framework Mailboxes

Dear Sir/Madam,

This is to acknowledge receipt of your email to TradeMark Africa's Procurement mailbox.

Your email will be reviewed, and a response will be provided at the earliest opportunity. We encourage you to visit our website www.trademarkafrica.com/procurement-faqs/ for our procurement guidelines and answers to FAQs.

If you have submitted a bid for an open procurement process, it may take several weeks before you receive any further communication from us.

*The maximum size of each email with attachments should not exceed **5 MB**.*

*Please get in touch with us via the mobile number, **+254 731 884 428**, in case you do not receive an automatic acknowledgement email immediately after submission of your bid.*

For and on behalf of:

Joe Namwaya

Head of Procurement

TradeMark Africa

Fidelity Insurance Centre, 2nd Floor, Off Waiyaki Way, Westlands

P.O. Box 313, 00606 Nairobi, Kenya

Email: procurement@trademarkafrica.com

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