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COMMON MARKET FOR EASTERN AND
SOUTHERN AFRICA



COMESA



COURT OF JUSTICE

السوق المشتركة للشرق
والجنوب الأفريقي
محكمة العدل

COMESA Centre
Ben Bella Road
P O Box 30051
LUSAKA 10101
Zambia

OFFICE OF THE REGISTRAR

REQUEST FOR PROPOSALS

CONSULTANCY FOR DEVELOPMENT OF A RESOURCE MOBILISATION STRATEGY

RFP Ref: CCJ/PRM/LUN/4/10/23

October 2023

1. Background

The Court of Justice of the Common Market for Eastern and Southern Africa (CCJ Court of Justice hereafter referred to as “the CCJ”) was established in 1994 under Article 7 of the COMESA Treaty (the Treaty) as one of the Organs of the Common Market.

The Court’s primary function is to uphold the rule of law in the enforcement of the COMESA Treaty by ensuring adherence to the law in the interpretation and application of the Treaty.

The CCJ now invites sealed proposals from eligible individuals for *the* provision of consultancy services for the development of a Resource Mobilisation Strategy.

2. Scope

The work under this consultancy will focus on developing a Resource Mobilisation Strategy that aims to improve the financial position of the Court through increasing contribution collections from Member States, engage with potential cooperating partners for extra-budgetary resources and enhance the Court’s financial resources allocation.

3. Terms of Reference

The specific ToRs are provided in Annex 1 to this Request for Proposals.

4. Schedules and Dates

The following schedule includes key milestones and their associated completion dates and is provided primarily for planning purposes. The CCJ may modify the consultancy timeline at its discretion.

Indicative Timelines	Milestone
23 October 2023	Issue RFP
30 October 2023	End of inquiry period for RFP clarification (bidder)
03 November 2023	Response to inquiries shared and published on the CCJ website
23 November 2023	Deadline for submission of proposals
04 December 2023	Consultant selected and Notification of the Intention to Award Contract
15 December 2023	Agreement with consultant signed
22 January 2024	Services starting date

Draft contract terms are provided as [Annex 2](#) to this request for proposals.

5. Eligibility of Consultants

- (i) Advanced university degree in Social Sciences, Development, Planning, Business Administration, Communication, or a related field.
- (ii) At least fifteen years' experience in the development sector and proven experience and success in developing business models and mobilising funds for inter-governmental organisations.
- (iii) Excellent knowledge of key donors focused on regional integration.
- (iv) Experience of working in multicultural contexts.
- (v) Strong analytical, strategic thinking and planning skills and ability to work under tight deadlines.

6. Commencement of Work

The expected date for commencing of the Services is 08 December 2023.

7. Criteria for Evaluation of Consultants

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

Criteria, sub-criteria	Points
Understanding of the objectives and requirements of the assignment	5
Adequacy of Approach, methodology and work plan	
Strategy/ Methodology for implementing the assignment	25
Timetable of activities	10
Total score for Approach and methodology	35
Relevant experience in similar assignments	30
Qualifications and Experiences	
Qualification and Skills	10
General Professional experience	10
Specific Professional experience	10
Consultants' Qualifications and Experience	30
Total Overall Score	100

The proposals must be submitted with a cover letter containing confirmation that you have understood the Terms of Reference for the assignment.

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

8. Submission of Proposals

Proposals shall be submitted in password protected electronic format as per the instructions below and by the closing date set forth in point Paragraph 10 to:

The Registrar

COMESA Court of Justice

Email: Procurement@comesacourt.org

With copy to: Info@comesacourt.org

NOTE: If the proposals are not submitted in two separate password protected electronic folders, the CCJ shall not assume responsibility for premature opening and may at its discretion reject the proposals. The passwords will be requested from the consultants on 24 November 2023 between 09.00 and 17.00 Hours SAST.

The first folder will be marked "TECHNICAL PROPOSAL" and the second folder will be marked "FINANCIAL PROPOSAL". The folder containing the financial proposal will ONLY be opened if the technical offer attains the pass score of seventy per cent (70%).

Submission of a proposal shall be deemed to constitute an acknowledgement by the Bidders that all obligations stipulated by this RFP will be met and unless specified otherwise, the Bidders has read, understood and agreed to all the instructions provided in this RFP.

This RFP does not commit the CCJ to award a Contract. Any proposal submitted will be regarded as a proposal by the Bidders and not as an acceptance by the Bidders of any proposal by the Court.

9. Cost of Proposal Preparation

The bidders shall bear any and all costs and expenses related to the preparation and/or submission of a proposal, regardless of whether its proposal is selected or not.

10. Closing date of tender

Proposals must be submitted to the CCJ on or before 23 November 2023 before 12.00 Midnight SAST.

11. Budget

The Financial Proposal shall not exceed the available budget of US\$6,000. Where travel is required and approved by the Registrar, the CCJ will pay Daily

Subsistence Allowance at the COMESA ruling rate and procure economy class air tickets where necessary.

12. Pricing

All prices MUST be indicated in USD.

There will be no price variation after signing of contract except upon a mutual written agreement between the two parties.

The price quoted shall be considered as representative of all the services required by the CCJ as contained in this Request for Proposals.

Prices must be exclusive of all taxes. The CCJ is exempt from all direct taxes, except charges for utilities services, and is exempt from customs duties and charges of a similar nature in respect of articles imported or exported for its official use.

13. Clarifications

Technical queries for clarification related to this tender should be submitted to the Procurement Officer; exclusively in writing, via e-mail: esimon@comesacourt.org with a copy to Lsinnary@comesacourt.org on or before 03 November 2023 not later than 17.00 Hours SAST. No communication, written or verbal, is allowed in connection with this RFP, with any CCJ staff members other than Procurement Officers. Queries received after the above deadline shall not be considered.

To maintain transparency, all Bidders' requests for clarifications and the CCJ responses will be recorded and circulated to all Bidders, without indicating the source of the request.

14. Amendment of the RFP

At any time prior to the deadline for submission of proposals, the CCJ may amend this RFP by issuing Addenda.

All Addenda issued shall be part of this RFP. The Addenda shall be posted on the CCJ website and communicated in writing to all Consultants who have responded to the RFP.

To give prospective Consultants reasonable time in which to take an Addendum into account in preparing their proposals, the CCJ may extend the deadline for the submission of proposals at its sole discretion.

15. Validity of Proposals

Proposals shall be irrevocable and remain valid for acceptance for at least **90** calendar days, commencing on the Closing Time.

If deemed necessary by the CCJ, Bidders may be requested to extend the validity of their proposals for an additional period(s), to finalise the solicitation process. If the extension of the validity period is accepted by a Bidders, the Bidder will not be permitted to otherwise modify or consequently withdraw its proposal.

16. Availability of the Consultant

Having selected the Consultant on the basis of, among other things, their individual competence and experience, the CCJ expects to negotiate a contract with the Consultant named in the Technical Proposal.

17. Notification of Contract Award

Prior to Notification of the award constituting the formation of the contract, a Notification of the Intention to Award will be communicated to all bidders. The contract will be awarded 5 days after the date of transmission of the Notification of Intention to Award if there shall be no challenges during the Standstill Period.

18. Bid Challenge

Consultants may challenge the results of a procurement only according to the rules established in the Bid Challenge System as provided in the CCJ Procurement Rules.

19. Commencement Date

The Consultant is expected to commence the assignment on 08 December 2023.

20. Publication of Contract Award

After the Award of Contract, the CCJ shall publish on its website, and the COMESA websites, the results identifying the procurement, the name of the winning Consultant and the price, duration, and summary scope of the contract. The same information shall be sent to all Consultants who have submitted proposals.

21. Financial Proposal - Standard Bidding Form

Bidders are advised to use the standard tender Form below as sample format and modify it to cover all relevant costs or charges.

There will be no price variation of the tender.

Bidders are advised to disclose any other relevant information on a separate sheet of paper.

Financial Proposal Form

	AMOUNT IN USD
TOTAL PROFESSIONAL FEE	
OTHER RELEVANT EXPENSES	
VAT AND ALL OTHER TAXES	EXCLUSIVE

Amount in words: _____

Submitted by:

Name: _____

Signature: _____

Date: _____

ANNEX 1. TERMS OF REFERENCE